

Legislations of Darkness

“ Examples of fear laws from
June 2013 to June 2020 ”



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Introduction:

After large demonstrations against former President Mohamed Morsi on June 30, 2013, the Egyptian armed forces intervened, ousting President Mohamed Morsi, cancelling the 2012 constitution, then it appointed the Constitutional Court President Adli Mansour as the interim president of what it called the "transitional stage".

At that time, Morsi's supporters held a sit-in in Rabaa Al Adawya. Mohamed Morsi was held in an unknown location for a long time, leading his supporters to protest for his release. On Monday, July 8, at least 51 people were killed and more than 435¹ others were injured before the Republican Guard headquarters by soldiers' fire fired from several buildings on supporters of ousted president Mohamed Morsi who were sitting there. The Egyptian army said in a statement broadcast by the Egyptian television that "an armed terrorist group" tried to break into the building, 200 of them were arrested by the army, a policeman was killed while protesters claimed that the Republican Guard forces opened fire on them during the dawn prayer in an attempt to disperse the sit-in.

President Mohamed Morsi passed a law in early 2013 giving the armed forces the right to protect vital buildings ². The decision signed by Mohamed Morsi was to suppress anti-government demonstrations across the country. However, the law was enacted against his supporters following the June 30, 2013, protests.

Many considered Adli Mansour a simulated president, not a temporary one. Others may not mention his name as much as they remember the blood that was shed in his term and the bad package of laws restricting freedoms, as it was in his term that the military regime in Egypt was restored, and the new era started to reveal its face. Many successive laws were enacted to muzzle and limit public freedoms, leading Egypt today in 2020 to become one of the castles of dictatorship after its people carried out two uprisings aimed at freedom and social justice.

In this study, We are reviewing the most important laws enacted in the seven years following the overthrow of the former president and so far to shackle citizens and suppress their freedoms.

1 DW: Dozens of deaths in front of the Republican Guard headquarters... Posted July 8, 2013 Date of Browse: May 2020
<https://web.archive.org/web/20191211005527/http://www.dw.de/a-16934999>

2 The Sharq Law Network: On the involvement of the Armed forces... Posted January 29, 2013 Date of Browse: May 2020
<https://site.eastlaws.com/GeneralSearch/Home/ArticlesTDetails?MasterID=1721815&related>

Laws restricting freedoms in seven years:

1- 1 –Decree-Law No. 107 of 2013 regulating the right to public meetings, processions and peaceful demonstrations

The law was passed in November 2013 under the shadow of a severe social division in Egypt, and it is considered one of the most prominent laws that violated the constitutional declaration, which stipulates the right to freedom of opinion and expression by all means, including assembly, meetings, protests and strikes.³ The law came after the bloody and violent disperse of Rabaa Al Adawia and Al-Nahda sit-ins. Egyptian society was divided between supporters of the sit-in of the Muslim Brotherhood and between opponents and perhaps frightened because of the fiery statements broadcast on the Muslim Brotherhood channels and on the sit-in platforms⁴ which forced a large part of society to fear the sit-in, especially with statements of weapons inside it. The excessive use of violence in the end of the sit-in led to further unrest in Egyptian society between Morsi's supporters and opponents who supported the disperse, and those who opposed to Morsi, but opposed, also, violence and murder used in the disperse of the sit-in, thereby widening the gap between the community's groups. Those who opposed the use of violence in the two sit-ins were accused of being disguised Muslim brothers.

The Egyptian authorities exploited the mentioned state of social tension, and issued a law called organizing the right to peaceful meetings, processions and demonstrations, and in fact it is a law banning demonstrations, sit-ins and strikes .

The Law 107 of 2013 regulating the right to public meetings, processions and peaceful demonstrations guarantees punitive materials for those who advocate demonstrations, and includes vague provisions such as "harming the interests of the state" or "disrupting the production wheel." In a reference to the prevention of labor strikes. In addition, the law laid down inexorable conditions for organizing demonstrations and protests, which are:

Those who want to organize a public meeting or run a procession or demonstration should notify in writing the police station or department, which has the place of public meeting or the place where the procession or demonstration starts. Notification shall be made at least three working days before the commencement of the general meeting, the procession or demonstration, up to a maximum of fifteen days and shall be limited to 24 hours if the

3 Egypt Layer Site, Decree Law No. 107... Posted November 2013 Browse: May 2020 <http://egyptlayer.over-blog.com/2013/11/107-2013.html>

4 YouTube: Brotherhood threats. Posted July 4, 2013 Date of browsing: May 2020 https://www.youtube.com/watch?v=jVvP3PGsm-Q&feature=emb_logo

meeting is electoral, with the notification to be handed over by hand or by a transcript, and the notification shall include the following data and information:

1. Place of public meeting or place and the course of the procession or demonstration.
2. 2-the date of commencement and end of the public meeting, procession or demonstration .
3. The purpose, demands and slogans of the participants in any of the general meeting, procession or demonstration.
4. 4-the names, description, place of residence and means of contact with the individuals or organization of the public meeting, processions or demonstration .

Article 9

The Minister of Interior issues a decision to form a permanent committee in each governorate headed by its security chief, whose task is to put procedures and measures to secure public meetings, processions and demonstrations notified about, and ways to deal with them in case they leave the peace framework. In accordance with the provisions of this Act .

Article 10

The Minister of the Interior or the competent Security Director may, in the event that the security services - before the deadline set for the start of the general meeting, procession or demonstration - obtain serious information or evidence of the existence of threats to peace and security, issue a decision to prevent, postpone, move to another place or change the course of a public meeting, procession or demonstration should be made, with the notification providers informed at least 24 hours in advance of the deadline. Without prejudice to the jurisdiction of the Administrative Court, the bidders may appeal against the decision of prevention or deferral to the judge of the pre-trial court of competent jurisdiction and make a decision promptly.

Article 11

The security forces shall take such measures and procedures as are necessary to ensure the notified public meeting, procession or demonstration, to preserve the safety of their participants, and of public and private property and life and property; This does not impede its purpose .

If any act of the participants in the public meeting, procession or demonstration is done, it constitutes a punishable offense or a non-peaceful expression of opinion, the security forces shall be in uniform, and on the order of the competent field commander, dissolving

the public meeting or dispersing the procession or demonstration, And arrest the accused of the crime .

The competent security manager may, before making a disperse, or arrest, request the judge of the competent court of first instance to assign his or her views to establish the non-peaceful status of the public meeting, procession or demonstration, and the judge shall issue his order promptly .

The law did not set impossible conditions for organizing the demonstration only. It even puts those who wish to express themselves under the control of the Ministry of the Interior, which has the right to act as it wishes, whether by granting permission or refusing the request, granting permission and then withdrawing it, in addition to monitoring the gathering, which turns the demonstration into a security celebration. It also puts the protesters at risk of a sudden protest by the interior against a chanted or active person, allowing them to "deal" with the protesters at what they see as appropriate, or by saying otherwise, to break the demonstration, and perhaps arrest those who had received permission.

2- Republic Decree No. 15 of 2014 amending the Law on Universities

The law was passed in January 2014, and the amendment states that: the university president may impose a penalty of dismissal on a student who carries out subversive acts "without defining what is meant by subversive acts" that harm or endanger the educational process. Or target university facilities, examinations, work within the university, assault on public and private persons or property, incite students to violence and use of force, or contribute to any of the above .

This puts universities under the burden of repression and muzzling. The future of a student who expresses his opinion by demonstration or sit-in is threatened, and the University Board is a security component, not only preventing students from practicing their right to express their freedom of speech, but also looking for intentions, spying on their discussions to know the "contributors" to any student movement and dismiss them.

3- 3 .Law on the exercise of political Rights No. 45 of 2014:

Act No. 45 of 2014 was passed just before the presidential election, in which two candidates were nominated: Hamdein Sabahi and Abdoufattah al-Sisi, in which President

Abdel Fattah al-Sisi won .

The law guarantees depriving large sectors of citizens of voting. There were also vague definitions of persons who were banned from running for office to include some of the regime's victims who were confiscated or charged in cases of flimsy charges⁵.

The law also contained a number of provisions to limit press freedom and muzzle statements on vague charges such as spreading false news about elections, or criticizing the members of the Supreme Electoral Commission, and punish the perpetrator with imprisonment.

4- 4 – Act 128 of 2014, the Law on other things

President Abdel Fattah el-Sisi continued to expand the use of legislative power in the absence of an elected parliament, and passed in September Act 128 of 2014. The amendment states: “Article 1: Article 78 of the Penal Code, which is amended by one of the most flexible and broad articles in the history of Egyptian legislation, if not the most extensive, shall replace the text of article (78) of the Penal Code as amended by Act No. 95 of 2003: Without prejudice to any heavier penalty provided for in the Penal Code or any other law “anyone who has requested by himself or otherwise requested through a mediator or accepted or took, at least by means of a foreign country, or who is acting in its interest, or of a person, ordinary or legal person, local or foreign organization, or any party, other a foreign State does not follow or act in its favor with liquid or movable funds, equipment, machinery, weapons, ammunition, or other things or promise of any kind with the intent to commit an act which is detrimental to a national interest, to the independence, unity, territorial integrity of the country or to carry out hostile acts against Egypt. The penalty is a life imprisonment and a fine of at least 500,000 L.E. or more than 500,000 and not more than he gave or promised. A penalty of death and a fine of at least 500,000 L.E. if the offender is a public official or public employee or a parliamentary member, or if the offense is committed in time of war or for the purpose of a terrorist. Any person who has been given, offered or promised some of the foregoing with the intent to commit an act detrimental to the foregoing paragraph shall be punished with the same penalty⁶”.

5 Al Youm Al Sabei: We publish the text of the law on the exercise of political rights... Posted May 2014 Date of Browsing: May 2020

6 Qadaya: Democratic Path September 2014 Published: October 2014 Date of Browse: May 2020
<http://qadaya.net/?p=6340>

5- 5 -President of the Republic Decree No. 130 of 2014, refers the police recruits to the military court.

Under this provision, the police conscripts are subject to military justice instead of natural justice. Decree No. 130 of 2014, amending article 94, paragraph 2, of the Police Service Act 109 of 1972, provides that "military justice shall be the exclusive jurisdiction of military courts to consider all crimes committed by the police force." According to the official newspaper⁷.

6- 6 .Law 136 of 2014 on the Insurance and Protection of Public and vital enterprises

The law places civilian enterprises under the protection of the armed forces..⁸ most serious of all, it places civilians in the hands of the military courts, especially after the expansion of the definition of the vital enterprises, although many of them are ordinary civil or economic establishments, the law states as follows: (The offenses committed on public installations, facilities and property referred to in article 1 of this resolution shall be subject to a law of military jurisdiction. The Public Prosecutor's Office must refer cases relating to such offenses to the competent military prosecution.

This exposes civilians to further military trials in the event of any problem within or around a state facility.

7- The Law No. 3 of 2015 concerning the amendment of some provisions of the Law on the Organization of Universities

Despite the Egyptian regime's amendments in 2014, which grant the university president a direct authority to dismiss the student in case he participates in what is called "riot acts" . But the Egyptian regime did not just pursue the students, moving on to chasing the university board and sieging them. The law punishes a faculty member by dismissal from his work and if s/he participates in acts of incitement to violence, or practices partisan acts inside the university, but sets another item that is too vague, too inaccurate, as a faculty member is punished with dismissal if s/he commits to: Any act that harms the honorable membership of the faculty, or that would harm his integrity, dignity of the job, and did not

7 Prev. source

8 Rowaq Al Gamal: Law 136 of 2014. Posted July 27, 2017 Browsedate: May 2020
<https://ahmedazimelgameel.blogspot.com/2017/07/136-2014.html>

specify what action would harm the honorable membership of the faculty.

8- 8 .Act No. 8 of 2015 regulating the lists of terrorist entities and terrorists:

The definitions of terrorist entities and terrorists are broad and lengthy, putting some opposition entities, which aim to bring about peaceful change or expression under the fire of this law, which provides for the confiscation of funds, the dissolution of entities, the arrest of leaders and members, and the imposition of maximum penalties of life or severe imprisonment .

The Egyptian regime, through some of its "honorable citizens", has tried to include peaceful groups like the April 6 group⁹ as a terrorist group, and Egyptian authorities have already considered April 6 and the Ultras groups within terrorist movements and issued a ruling to confiscate their money¹⁰.

9- 9 .Anti-terrorism Act No. 94 of 2015 :

The law was issued under the pretext of fighting terrorism to include punishment and prosecution of those who have taken the opinion, as it reproduces articles that were previously ruled unconstitutional by the Supreme Constitutional Court, and allows the police to use lethal force and guarantee their impunity under vague and general accusations such as "public order, community safety, community interests, National unity", as well as the inclusion of a number of peaceful activities that political parties, protest movements, students, workers, media and civil society organizations may carry out as terrorist activities .

At its very beginning, the law does not give a coherent definition of terrorist operations and of members of terrorist groups, in addition it uses the maximum penalties such as death and life ones broadly against those who may be involved in participation without practicing terrorism, such as those who leak information, or who finance, incite, or plan .

Moreover, it places anyone with business or even friendship contacts abroad under accusations of

9 Al Masry Al Youm: A lawsuit claims that the April 6 movement is a terrorist group was considered: Posted December 2015 Date of Browse: May 2020 <https://www.almasryalyoum.com/news/details/673738>

10 Al Youm Al Sabei: 8 banned movements in Egypt. Posted February 2017 Browse date: May 2020 <https://www.youm7.com/story/2017/2/19/8-%D8%AD%D8%B1%D9%83%D8%A7%D8%AA-%D9%85%D8%AD%D8%B8%D9%88%D8%B1%D8%A9-%D9%81%D9%89-%D9%85%D8%B5%D8%B1-%D8%A8%D8%AD%D9%83%D9%85-%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A3%D8%A8%D8%B1%D8%B2%D9%87%D8%A7-%D8%A7%D9%84%D8%A5%D8%AE%D9%88%D8%A7%D9%86-%D9%88%D8%A7%D9%84%D8%A3%D9%84%D8%AA%D8%B1%D8%A7%D8%B3/3108745>

espionage, where anyone connected with any foreign individuals or groups is subject to charges of spying. The law also provides for punishment of those who express their opinion on social media or, as provided by law, "propagating ideas and beliefs", calling for violence, and it did not specify the form of the intended violence, and punished the perpetrator with imprisonment for at least five years .

In addition, the law restricts freedom of the press by stipulating that: Anyone who, by any means, deliberately publishes, broadcasts, shows or propagates unreal news or statements of terrorist acts committed inside the country shall be punished with a fine of not less than 200,000 pounds. Or operations related to combating terrorism in contravention of official statements by the Ministry of Defense, all without prejudice to the prescribed disciplinary penalties. In cases where the offense is committed by a legal personality, the person responsible for the actual administration of the personality shall be punished with the same penalty as that prescribed in paragraph 1 of this article, as long as the offense is committed for his or her own account or interest, and the legal personality shall be liable for the complicity of the fines and compensation to be imposed. In any event, the court may order that the convicted person be prohibited from practicing the profession for a period not exceeding one year, if the offense is committed in violation of the principals of his profession¹¹.

The law stipulates that police officers are not held accountable if they use weapons to confront terrorists, who are not precisely defined by law .

10- 10 -Republican Decree No. 100 of 2015 amending the Penal Code to establish as criminal offenses the knowledge of possession of explosives, and not to inform the competent authorities

The amendment, by adding an article No. 102 to the Penal Code, states that “a minimum sentence of imprisonment of one year and a fine of between 20,000 L.E. and 100,000 L.E. or one of these penalties shall be imposed on anyone who has learned of the offense of possession of explosives and has not been rushed to inform the authorities ”.

This puts civilians who are not involved in terrorist acts under accusations of terrorism, and the average citizen is forced to behave like police agents, spying on and reporting his neighbor, colleague, or relative, so that he is not accused of concealing him .

11- 11 .Decision by Law No. 106 of 2015 to amend the Prison Regulation Act:

11 Legal publications: Anti-terrorism law. Posted: Last updated: April 2017 Browse: May 2020
<https://manshurat.org/node/14679>

The most notable of these were:

Raise the fees for the furnished remand rooms to 15 pounds a day. Instead of 150 piasters in the previous law, as provided for in article 14 of the law .

The age of a child custody of the mother prisoner has also been raised to four years instead of two years in the old law, in the text of article 20 .

The amendment also granted the right of the prison director or prison officer to solitary confine the prisoner for a period not exceeding 15 days. This is instead of just a week in the old law, in the text of article 44 .

These amendments include a number of human rights violations, excluding poor prisoners and indigent persons from the human life inside the prison, raising the custody of the child inside the prison, which may violate him, as prison is not a healthy environment for raising children. The prison authorities are also given absolute authority to torture prisoners through solitary confinement without a judicial decision or even a decision of the public prosecutor.

12- 12 .Law No. 92 of 2016 promulgating the Law on the institutional Organization of the Press and Information

It is a notorious law, establishing the Supreme Council for Press and Information, which acts as a watchdog over the press and freedom of expression, and serves as a moral police, as well as a security agency that reviews press and media content, and that closes, bans, and prohibits press and media personnel .

Among the provisions of this law and characterizing the functions of the Supreme Council for Information are: Ensuring that media and press adhere to the requirements of national security .

The term "national security" usually includes all matters related to criticism of the political performance of the Egyptian regime, and under this article a large number of journalists and media workers are arrested, newspapers are closed and sites are banned under the pretext of violating national security .

13- 13 .Act No. 11 of 2017 amending certain provisions of the laws, including the Terrorism acts:

Some articles giving absolute power to the Public Prosecutor have been added to expand the suspicion of terrorist crimes, expand his powers to confiscate and retain money, and to summons and arrests.

The definitions of terrorism have also grown more opaque with these additions, with the amendments providing that all civil and legal activities are listed under any name. To bring all civil society institutions under security control.

The amendments also made all the funds of the entities in the State available to the Public Prosecutor, in his view, as follows: "The Public Prosecutor shall have information or serious evidence of fixed or movable funds from the activities of any terrorist or terrorist entity listed or not on the lists of terrorist entities and terrorists, or, in any way, finance the assets of the associates, order that the funds be held in custody and prevent their owners or holders from acting on them¹²".

14- 14 .Act No. 12 of 2017 amending the Emergency provisions:

Some articles were added to the 1985 Law 162 on Emergency provisions, and the law referred to is the ruling law the ousted President Mohamed Hosni Mubarak for 30 years, but the current Egyptian regime added two articles on judicial police. The police are called to detain citizens without being appeared before the prosecution for up to seven days. To impose further repression, of these articles states: "When a state of emergency is declared a reservation to all those who have been made available, they may be found guilty of a felony or misdemeanor, as well as to what may be held in their own home or in places where any dangerous or explosive substances are suspected of being hidden Except for other provisions of the laws, and the Public Prosecutor's Office shall be notified within 24 hours of the detention. After the Public Prosecutor's Office is been ordered to detain him for a period not exceeding seven days to

12 Egypt Lawyer Site: Law No. 11 of 2017 Published: June 2019 Date of Browse: May 2020

<https://lawyeregyp.net/%D8%A7%D9%84%D9%85%D9%83%D8%AA%D8%A8%D8%A9-%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-11-%D9%84%D8%B3%D9%86%D8%A9-2017-%D8%A8%D8%B4%D8%A3%D9%86-%D8%AA%D8%B9%D8%AF%D9%8A%D9%84-%D8%A8%D8%B9%D8%B6-%D8%A3%D8%AD%D9%83%D8%A7%D9%85-%D9%82-2/>

complete the collection of inferences, the investigation with him shall commence during this period¹³ "

The law is legitimizing the forced disappearance perpetuated by the Egyptian regime.

15- 15 .Law No. 14 of 2017 concerning the amendment of the demonstration Act

Although the 107 Act of 2013 regulating the right to meet and demonstrate is a flawed law, placing citizens under security control and preventing them from expressing their views, the Egyptian regime has added amendments that would further restrict the freedoms of citizens and give the Ministry of Interior full power. The Interior Minister was given the right to prevent the gathering even if the security approval took place, before the scheduled date for the start of the meeting, or to move it elsewhere .

The amendment to article 10 provides: "The Minister of the Interior or the competent security manager in case the security authorities get, and before the deadline set for starting the general meeting, procession or demonstration, according to serious information or indications, to submit to the judge of the primary court to cancel or postpone or change the place of the meeting, procession or demonstration. The judge shall issue a reasoned decision upon the application to him, and shall notify the administrative body of the notifying the applicant immediately after the issuance of the notification. The concerned may appeal against the decision in accordance with the rules established by the Civil and Commercial Procedure Act".

16- 16 .Law No. 13 of 2017 concerning the selection of the heads of judicial

13 Al Youm Al Sabie: Full text of the Emergency Law Amendment, posted: April 2017, Browse: May 2020
<https://www.youm7.com/story/2017/4/28/%D8%A7%D9%84%D9%86%D8%B5-%D8%A7%D9%84%D9%83%D8%A7%D9%85%D9%84-%D9%84%D8%AA%D8%B9%D8%AF%D9%8A%D9%84-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B7%D9%88%D8%A7%D8%B1%D8%A6-%D8%A8%D8%B9%D8%AF-%D8%AA%D8%B5%D8%AF%D9%8A%D9%82-%D8%A7%D9%84%D8%B1%D8%A6%D9%8A%D8%B3-%D8%A7%D9%84%D8%B3%D9%8A%D8%B3%D9%89/3209519>

bodies:

The opposition to the law was not limited to those who called for the rule of law and who support freedoms, but for the first time the opposition among the judges of the regime was escalating, as the law allows the President of the Republic to go beyond the seniority principle in appointing the heads of judicial bodies, and to choose as the our leading judicial bodies (the Supreme Council of the Judiciary, the Supreme Council of the Administrative Prosecution, the Supreme Council of the State issues and the General Assembly of the Councilors of the State Council) nominate the seven eldest judges and the chairpersons should be chosen by the President .

This pushed the "Counselor Mohammad Madi, the oldest deputy chairman of the State issues Authority, and Counselor Anas Emara, the oldest deputy of the Court of Cassation, and Yahya Dkrori the deputies of the State Council " to challenge the law and considered the president's political decision on appointments by a law that grants him to choose judges other than seniority, an administrative decision that represents a waste of judicial independence, causing serious damage to it.

17 -The Law No. 70 of 2017, known as the Civil Associations Act

"This law is repressive and destroys civil society in Egypt," said UN High Commissioner for Human Rights. The Special Rapporteur on the right to freedom of peaceful assembly at the United Nations said, "it destroys civil society, not only in the short term, but for generations to come. It is also against the foundations of peaceful community civic participation ".

The Act provides that all entities exercising civil work as defined by the accompanying law, whatever their legal designation, shall reconcile their status in accordance with its provisions within one year of the date of operation, or the competent court may order their resolution .

Article 3 of the Law on Civil societies stipulates that: "Associations operating in border provinces must obtain the approval of the Governor, and then the approval of the Prime Minister." The law also states that "associations may not practice activities similar to those of parties, trade unions or workers or having a political nature ."

According to article 27: The court decides to dismiss the board of directors of the association and appoint an interim Council "at the request of the administrative body" in

case of activities not authorized by the board of directors. Or move to a new headquarters without notifying the administrative authority within 3 months .

Associations or entities subject to the provisions of this Act in article 66: are prohibited from dealing with foreign nationals or employ them in the form of experts, temporary workers, permanent employees or volunteers only after prior authorization has been obtained from the Service .

In any case, the law has already been repealed and an alternative law passed.

18- Youth organizations Regulation Act No. 218 of 2017:

The law allows youth bodies to be placed under the full control of the government and security, article 13 of which states: "The competent minister may include, for the Board of Directors, at most three experienced members, including a woman, in the event of not electing one to the Board and they shall have all the rights and obligations of the Board membership ".

The law also mandates choosing the leadership of assemblies of young people and the establishments of youth bodies, to the Minister of Youth and Sports, without elections, thereby manifests the state's desire to control and recruit young people and not to give them the opportunity to build their own and independent experience .

The youth assemblies may not participate in any international activities without the permission of the central administration, and any person who carries out "activity contrary to what the association was established for" is punished by imprisonment without defining those activities or "holding parties and gatherings contrary to the law¹⁴."

19- 19 .Act No. 175 of 2018 on it offenses

Another law not only to pursue journalists, but also to pursue all users of social media sites, and the electronic network as a whole. This law is an episode in the series of silence and suppressing freedom of expression, which began with blocking websites, to close media and press platforms pursuing journalists, ending with the promulgation of press and

14 Al Youm Al Sabei: Youth organizations Regulation Law, Published: October 2017, browsing date: May 2020
<https://www.youm7.com/story/2017/10/24/%D9%86%D9%86%D8%B4%D8%B1-%D9%86%D8%B5-%D9%85%D8%B4%D8%B1%D9%88%D8%B9-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%87%D9%8A%D8%A6%D8%A7%D8%AA-%D8%A7%D9%84%D8%B4%D8%A8%D8%A7%D8%A8%D9%8A%D8%A9-%D8%A8%D8%B9%D8%AF-%D9%85%D9%88%D8%A7%D9%81%D9%82%D8%A9-%D8%A7%D9%84%D8%A8%D8%B1%D9%84%D9%85%D8%A7%D9%86-%D8%B9%D9%84%D9%8A%D9%87/3478678>

media laws in accordance with flawed texts .

This reflects a clear desire by the state to undermine and muzzle critical mouths, as well as to prevent the circulation and dissemination of information¹⁵.

- Observers have monitored the shortcomings of the Act in several areas, including:
- The broad definition of the term national security under which users are punished
- Monitoring and allowing user data and information to fail
- Expanding the judiciary seizure and granting them to those who are not qualified, in conjunction with broad definitions of words .
- Blocking sites under the pretext of threatening national security with decisions from the prosecution authorities and in case of urgency by the investigation and control authorities
- Illegal entry and conflict with the nature of information space, professional range, and varying user experiences
- Travel prevention
- A distinction between state-owned and individual-owned sites in the event of aggression
- Punishment of ridicule and undermining the freedoms of thought, opinion and creativity¹⁶

20- Law No. 180 of 2018 on the regulation of the press and the media:

The law immediately provoked a storm of anger among journalists and those who are concerned with freedom of the press, as well as in the corridors of press institutions, where the law contained a list of taboos and a list of the sanctions that observers considered a funeral for the press .

The law restricts the press and media, provides for the creation of the Supreme Council for Press and Information, which monitors all press releases, electronic or paper, and widens the charge of incitement to terrorism, libel, and defaming and provides penalties such as imprisonment, closing, and blocking.

21- Press and Media bodies' laws "178, 179 of 2018"

This year, 2018, President Abdelfattah al-Sisi passed several laws establishing several

15 The Arabic Network For Human Rights Information: Laws of Silence. Posted September 2018, Browsedate: May 2020
<https://www.anhri.info/?p=1171>

16 Prev. source

monitoring bodies on freedom of opinion and expression, such as the National Media Authority Act No. 178 of 2018, which promulgated the National Media Authority Act that all state-owned entities, institutions, media and electronic media sites, established on the date of this act, to be in accordance with the provisions of the accompanying law within one year of the date of its operation. Besides promulgating the National Press Authority Act No. 179 of 2018, which contains several definitions for each of the press institutions, the Press, the journalism, the President of syndicate, the newspaper, and explicitly providing for the editorial policy of each newspaper, which is the newspaper's general objectives, political, social and cultural affiliations and the governing standards for its liberalization .

The law also provides that the agency is independent in the exercise of its functions and duties, and that state-owned press institutions are privately owned, should be developed, and enhanced¹⁷ .

The two bodies are issued in conjunction with the notorious Press and Media Organization Act, to establish more bodies that provide security control over press releases, paper or electronic .

This is other than the creation of a new money-keeping body in accordance with Act No. 22 of 2018 regulating the measures of restraint, exclusion, administration and disposal of funds of “terrorist groups and terrorists”, which provides for the establishment of an independent Commission of a judicial nature, which would be competent to take all measures to implement the judgments rendered, by considering “a group, entity, or person belonging to a terrorist group; in particular, the measures of restraint, administration, and disposition of their funds¹⁸ .”

This is an exception to the provisions of the Civil and Commercial Act .

This is apart from the establishment of a new body, by an amendment to the Associations Act, passed by the Prime Minister, to set up a committee to prepare a comprehensive vision for amending the Law on the Organization of the work of NGOs headed by the Minister of Social Solidarity .

The Egyptian state spends costs for the establishment of all these bodies and committees, to tighten security control over citizens and journalists.

17 Arabic Network for human rights information: Growing anger. The Democratic Path of 2018. Posted January 2019
Browse: May 2020 <https://www.anhri.info/?p=4193>

18 Prev. source

22- 22 .Sanctions Regulation for the year 2019

In March 2019, the Supreme Council for the Regulation of the Press and Information (SCIMI) passed resolution No. 16 of 2019, “sanctions Regulation and Administrative and Financial measures”, which may be signed on law-abiding bodies of 180 of 2018, including personal accounts with more than 5,000 followers .

The list consists of 29 articles that monitor a number of professional violations, sanctions and punishments, and these sanctions range from attention, blocking, stopping broadcasting, and a fine of LE250,000 against the media, whether read, heard or visible. If any of the offenses you have identified have been committed .

Article 1 of the Regulation clarified the Council's right to punish media by simply knowing whether through the monitoring means formed by the Council or complaints submitted by citizens or by listening or self-reading to any Council member, although the regulation includes a number of offenses such as slander and libel may be punished only on the basis of a self-complaint by the targeted person .

In general, according to the articles of the Egyptian Constitution issued in 2014, the Egyptian Constitution is not yet in place. The articles of the regulation explicitly contradict the principle of a democratic State in accordance with article 1 of the Constitution, which establishes a democratic system based on citizenship and the rule of law, guarantees many rights and principles to the democratic State: The most important of which is the right to freedom of opinion and expression. Political pluralism and the principle of independence and separation of powers .

The regulation in its final form has been dominated by a methodology aimed at restricting freedom of opinion and expression, stifling the media field and opening the door to closing the media spaces for opponents and those who oppose the Egyptian government policies, which threatens the principle of political pluralism, and demolishes the freedom of press, printing and publishing .

Artistic and cultural creativity is also constrained by the judicial rulings of the Supreme Constitutional Court on freedom of opinion and expression. “Supreme Constitutional Court” established that freedom of opinion is the original freedom of much of public intellectual, cultural, and other rights, and the real entry point for its practice in a serious way, such as the right of criticism. Freedom of the press, printing and publishing, freedom of scientific research and literary, artistic and cultural creativity, the right to meet for

consultation and exchange of views, and the right to address public authorities¹⁹.

23 .The Law 149 of 2019 regulating the work of the Civil societies:

The law was passed by the President, replacing the Law No. 70 of 2017, which provoked domestic and international anger, replacing some of the articles with the hope of easing the law, and although many NGOs welcomed it, as it removed many of the restrictions imposed by the Law 70 of 2017. But this welcome followed the Egyptian proverb: Half-sight is better than full-blindness .

The new law abolished penalties of imprisonment and changing them to fines .

The new law provided for: “the founding member, board member, or board of trustees shall, as the case may be, be entitled to his or her civil and political rights. He has never been sentenced to a felony or a penalty of freedom in a misdemeanor that is not honorable and honest unless he has been redeemed, and is not on the terror list ”.

Under this repressive regime, with no clear definition of what is terrorism and national security, many innocent people will be denied the right to participate in the creation of a civil society .

The law also prohibits, civil society from carrying out any "political or party" activities, according to article 15, which prevents some human rights organizations from talking, for example, about prison conditions, detainees' cases or election fraud, as this is considered by the State to be a political act .

The article prohibits the conduct of surveys, publication, making available their results, conducting field research or presenting their results before approval by the Central Agency for Public mobilization and Statistics to ensure their safety, neutrality and association activity.²⁰ This puts all surveys and statistics under government control. No

19 Egyptian Press and Media Observatory: Organization or curfology. Posted: March 2019 Browse: May 2020
<https://ejm.wordpress.com/2019/03/28/%D9%84%D8%A7%D8%A6%D8%AD%D8%A9-%D8%AC%D8%B2%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%AC%D9%84%D8%B3-%D8%A7%D9%84%D8%A3%D8%B9%D9%84%D9%89-%D9%84%D9%84%D8%A5%D8%B9%D9%84%D8%A7%D9%85-%D8%AA%D9%86/>

20 Egypt's Lawyer Site: Law. Posted September 2019 Browse: May 2020
<https://lawyeregypt.net/%D8%A7%D9%84%D9%85%D9%83%D8%AA%D8%A8%D8%A9-%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86%D9%8A%D8%A9/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-149-%D9%84%D8%B3%D9%86%D8%A9-2019-%D8%A8%D8%A5%D8%B5%D8%AF%D8%A7%D8%B1-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%85%D9%85/>

independent information is available to citizens without passing through the Government .

Apart from the continuation of many of the censorship objects objected to by civil society, with the penalty being reduced from imprisonment to fine and closure, such as article 30, which provides: For representatives of the administrative body, who are determined by the competent minister, to enter the headquarters of any of the institutions or branches of civil society, after being notified; To provide technical support, follow-up activities, access to records and check their work in administrative, financial and technical terms to verify that they are in conformity with the provisions of this Act, and the executive regulations of this Act specify the conditions for the entry of representatives of the administrative body of the Headquarters .

The Assembly and its Board of Directors are obliged to assist them in completing their work unless representatives of the administrative body enter on the basis of an official complaint and are entitled to enter without prior notice. And other articles on headquarters changes, receipt of voluntary contributions and opening of headquarters in different governorates. (See No. 16 on the Organization of Civil societies Act No. 70 of 2017.)

This law did not change much from the previous one except for appealing punishments .

24 -Act No. 77 and 78 of 2019 on judicial bodies and appointment of their superiors:

In an insisting attitude towards what we might call the loss of judicial independence and non-interference in the judicial affairs represented in Act 13 of 2017, Act No. 77 of 2019 was promulgated. And 78 for the year 2019 .

Law No. 77 of 2019 allows amending the laws of reorganization of the Administrative Prosecution Authority, the State Law Board, the Judiciary and the Council of State, by a decision of the President of the Republic, out of seven of the oldest deputy of the Court or the deputy of the Authority. This is for four years or for the remainder until retirement age is reached, whichever is earlier and for one time for the duration of his employment ".

The first paragraph of article 119 also dealt with the method of appointing the Public Prosecutor by a decision of the President of the Republic from three candidates nominated by the Supreme Council of the Judiciary, one with the rank of deputy of the Court of Cassation and one with the rank of President, the third is an assistant public prosecutor for

a period of four years, or for the remainder until he reaches retirement age, whichever is earlier, and for one time for the duration of his term of office .

The names of the candidates shall be communicated to the President at least thirty days before the end of the term of the Public Prosecutor. If the candidates are not nominated before the end of the term mentioned in the preceding paragraph, or less than three are nominated, or those not subject to the controls mentioned in the first paragraph are nominated, the President of the Republic appoints the Public Prosecutor from among the incumbents of the posts mentioned in the first paragraph .

The Act also deals with the amendment to article 83, paragraph 1, of the State Council Act No. 47 of 1972, by appointing the President of the Council of State from among the seven oldest deputies of the Council for a four-year term or the remaining period until the retirement age is reached, whichever is sooner and for one time for the duration of his or her employment .

The President of the Republic also promulgated Act No. 78 of 2019, amending the method of selection of the President of the Supreme Constitutional Court and providing that "the President of the Republic shall select the President of the Supreme Constitutional Court from among the five oldest deputies of the Court. The President of the Republic appoints the Deputy President of the Court from among two candidates, one of whom is the General Assembly of the Court and the other is the President of the Court ".

These laws give the President broad authority to choose the presiding officers of the judicial bodies, regardless of any other considerations .

25 -Act No. 14 of 2020 concerning terrorist entities:

The Egyptian regime has been amending, almost annually, terrorism laws, especially in relation to definitions and penalties, so that terrorism suspects can be expanded, including companies and federations, which are basically authorized by the state, and include the list of charges that fall under terrorism: Obstructing the public authorities, judicial bodies, government interests, local units, worship houses, hospitals, science institutions or other public facilities, diplomatic and consular missions or regional and international organizations and bodies in Egypt from carrying out or exercising their functions for all or some of their activities; Or to resist, disrupt, prevent, obstruct or endanger public or private transportation by any means or to advocate by any means a breach of public order,

endanger the safety or interests of society or otherwise, or disrupt the provisions of the Constitution or laws or prevent an institution of the State or a public authority to conduct its acts, the assault on the personal liberty of a citizen or other public freedoms and rights guaranteed by the Constitution and the law, or the damage to national unity, social peace or national security. This applies to those persons and entities mentioned when they have practiced, targeted or intended to carry out any such acts, even if they are not directed at the Arab Republic of Egypt .

These are vague and broad accusations that put every citizen under the charge of terrorism.

Conclusion :

The Egyptian regime has gradually established an arsenal of freedom-controlled laws under the pretext of counter-terrorism to muzzle and silence any opposition voice, and to impose security control on individuals, institutions, corporations, entities, coalitions, unions, newspapers and sites suspected of supporting the January revolution or demanding democracy .

Besides pursuing all those who raise a voice by objection or demand, by holding long-term detention and enforced disappearance, with great care not to observe these violations that has been legalized. Thus, the civil society and the independent press that are responsible to uncover these violations are fought .

Many laws allow what the Mubarak regime has been practicing through a state of emergency, and only difference is in the form of repression. Instead of being arrested under the emergency law, long-term detention would be years without trial. Through prolonged pre-trial detention, it has even reached the limit of extrajudicial detention, with many prisoners exceeding the maximum remand limit and remaining prisoners .

Terrorism charges no longer exclude anyone, from Islamists to the leftists, nationalist and the liberal. But without determining what terrorist entity or act many are imprisoned .

Legal and police restrictions on the press, resulting the absence of an independent press except for very few, yet blocked in Egypt .

The same goes for judges, parties, trade unions, and, of course, civil society. The regime has exploited the Egyptian public's refusal to rule the Muslim Brotherhood and its political movements, and the crimes that were committed by extremist Islamic groups to extend its influence, and under the pretext of protecting of citizens from terrorism, it is violating the rights and freedoms of citizens. Imprisonment, dismissal, fines and confiscation of funds

become common, in a society run and controlled by intimidation.

The Egyptian citizen thus falls between the rock of extremist armed groups and the hard place of the Egyptian regime that employs law and justice to retaliate and intimidate at times, and violates the same laws that it set to increase the dose of intimidation, other times.