

Appendix 3 - The 2013 Protest Law

In the name of God, the Most Compassionate, the Most Merciful

The Arab Republic of Egypt

The Presidency of the Republic

The Official Gazette

Presidential Decree, The Arab Republic of Egypt

Law No.107 for 2013

For organizing the right to public meetings, peaceful processions and protests

The Interim President

After viewing the Constitutional Declaration issued on July 8, 2013;

The Penal Code;

The Criminal Procedures Law;

Law 10 for 1914 regarding Gathering;

Law 14 for 1923 for determining the provisions of public meetings and protests in public roads;

Law 394 for 1954 regarding Weapons and Ammunition;

Police Authority Law issued by law 109 for 1971;

The Judicial Authority Law issued by law 46 for 1972;

The State Council Law issued by law 47 for 1972;

The Local Administration System Law issued by law 43 for 1979;

The Environment Law issued by law 4 for 1994;

Law 94 for 2003 regarding the establishment of the National Council for Human Rights;

Law 113 for 2008 regarding the protection of the sanctity of worship places;

And after the approval of the Cabinet;

And based on the view of the State Council:

The following law's text has been decided upon:

Chapter One

General Provisions and Definitions

(Article 1)

Citizens have the right to organize and join peaceful public meetings, processions, and protests, in accordance to the provisions and rules stipulated in this law.

(Article 2)

A public meeting is every gathering that takes place in a public place or site, entered by or could be entered by individuals without a prior personal invitation, not less than ten to discuss or exchange views on an issue of general interest.

Electoral meetings that abide to the following conditions are considered as public meetings in applying the provisions of this law:

1- When the aim of it is to select a candidate or candidates for the memberships of parliaments or to listen to their electoral programs.

2- When it's limited to the voters, and candidates, or both of them.

3- When the meeting takes place in the time designated for electoral campaigning.

(Article 3)

A procession is every march of individuals in a public place, or road, or square that exceeds ten to peacefully express opinions or issues that are not political.

(Article 4)

A protest is every gathering of individuals in a public place, or proceeds on the public roads and squares that exceeds ten to express their opinions or demands, or political discontentment in a peaceful manner.

(Article 5)

Public meetings for political purposes are prohibited in places of worship or their arena, or their annexes. It is also prohibited to conduct processions to them or from them, or protest in them.

(Article 6)

Participants in public meetings, processions, or protests are prohibited to carry any weapons or ammunition or explosives or fireworks or incendiary material or any other tools or material that subjects individuals or buildings, or properties to damage or danger.

They are also prohibited to wear masks or coverings to hide facial features with the intention of committing any of these acts.

(Article 7)

Participants in public meetings or processions or protests are prohibited to disrupt public security or order or obstruct production, or call for it, or hamper citizens' interests or harm them or subject them to danger or prevent them from exercising their rights and work, or affecting the course of justice, public utilities, or cutting roads or transportation, or road, water, or air transport, or obstructing road traffic or assaulting human life or public or private property or subjecting it to danger.

Chapter Two
Organizational Procedures and Rules
For public meetings, processions, and protests

(Article 8)

Whoever wishes to organize a public meeting, or conduct a procession or protest should submit a written notification to the police station or point that falls within the zone of the place of public meeting or the start point of the procession or protest. The notification should be submitted at least three working days prior to the start of the meeting, procession, or protest, with a maximum of 15 days. In the case of electoral meetings, this duration will be 24 hours. The notification is to be delivered by hand or by a notice served by a bailiff and should include the following data and information:

1. The place of the public meeting or the place and route of the procession or protest.
2. The start and end time of the public meeting, procession or protest.
3. The subject of the public meeting, procession, or protest, its purpose, the demands requested by the participants in any of them, and the mottos used.
4. The names of individuals, and their titles, or entities organizing the public meeting or procession or protest, their residences and contact information.

(Article 9)

The Minister of Interior shall issue a decree to compose a Standing Committee in each governorate, headed by its Security Chief. It is responsible for putting in place the rules and guaranteeing measures that would ensure securing the notified public meetings, processions, and protests and methods of dealing with them in case they become non-peaceful, according to the provisions of this law.

(Article 10)

If serious information or evidence is found before the scheduled time for starting a public meeting, procession, or demonstration, indicating the presence of threats to security of peace, the Minister of Interior or the specialized Director of Security may issue a justified decree prohibiting the public meeting, procession, or demonstrations, or suspending it, or relocating it, or altering the route; the organizers [submitters of the request] should be notified with the decision, at least 24 hours prior to the scheduled date.

Without prejudice to the jurisdiction of the Administrative Court, organizers [submitters of the request] may appeal against the prohibition or postponement decision before the Judge of Urgent matters at the appropriate First Instance Court. The Judge shall issue his verdict swiftly.

(Article 11)

Within the framework of procedures, measures, and methods of treatment placed by the committee mentioned in article 9, security forces shall take the necessary measures and procedures to secure notified public meetings, processions, or demonstrations, while protecting lives, the well-being of the participants, and the public and private properties, without obstructing the purpose [of the demonstration].

Officially dressed security forces – based on an order from the appropriate field commander – may disperse the public meeting, procession, or demonstration, and arrest suspects, if the participants in the public meeting, procession, or demonstration take any action that constitutes as a crime punishable by law or violate the peaceful nature of expressing opinions.

The Security Director, with geographic jurisdiction, may request from the Urgent Matters Judge at the appropriate First Instance Court - prior to the dispersal, break-up or arrest - to second whoever he may see fit, in order to authenticate the non-peacefulness of the public meeting, procession, or demonstration. The Judge shall issue his verdict swiftly.

(Article 12)

In the cases in which the law permits the dispersal or break up of a public meeting, procession, or demonstration, the Security Forces shall abide by the following methods and stages:

Firstly: Requesting from the participants in the public meeting, procession, or demonstration to voluntarily depart by directing repetitive verbal warnings at an audible level to disperse the public meeting, procession or demonstration, while specifying and securing the departure routes for the participants.

Secondly: In case of the non-responsiveness of the participants in the public meeting, procession, or demonstration to the departure warning, the Security Forces shall disperse them in accordance with the following order:

- Using water cannons;
- Using tear gas canisters;
- Using batons

(Article 13)

In the case of the failure of the previously stipulated methods in dispersing or breaking up the participants in the public meeting, procession, or demonstration, or in cases in which the participants undertake acts of violence, sabotage, destroying public and private properties, or assaulting individuals or forces, the Security forces may gradually use force, as follows:

- Firing warning shots;
- Firing sound bombs or gas bombs;
- Firing rubber cartouche bullets;
- Firing non-rubber cartouche bullets

In case the participants in the public meeting, procession, or demonstration resort to using firearms, thus providing a legitimate basis for self-defense, they [demonstrators] shall be dealt with using tools proportionate to the danger posed against life, money, or property, in response to the assault.

(Article 14)

In coordination with the appropriate governor, the Minister of Interior shall, by issuing a decree, determine a 'specified safe area' in front of vital facilities, such as presidential premises, parliamentary councils, international organization offices, foreign diplomatic missions, premises of governmental, military, security and auditing agencies, courts and prosecution offices, hospitals, airports, oil facilities, educational institutions, museums, monumental areas, and other public facilities.

Participants in the public meeting, procession, or demonstration are prohibited from trespassing the boundaries of the specified safe areas, stipulated in the previous paragraph.

(Article 15)

The appropriate governor shall issue a decree determining sufficient space inside the governorate, in which public meetings, processions, or demonstrations, with the purpose of peaceful expression of opinions are allowed without prior notification.

Chapter Three

Penalties

(Article 16)

Without prejudice to any severer penalty stipulated in the penal code or any other laws, the acts stipulated in the following Articles will be punished as specified.

(Article 17)

Anyone who possessed or obtained weapons or explosives or ammunition or incendiary material or pyrotechnic material while participating in a meeting, procession or protest shall be punished by strict imprisonment not less than 7 years, and a fine not less than EGP 100,000 and not more than EGP 300,000, or either penalties.

(Article 18)

Anyone who offered or received cash or any benefit or mediated to organize public meetings or protests, with the intention of violating Article 7 of this law, shall be punished by imprisonment and a fine not less than EGP 100,000 and not more than EGP 200,000, or either penalties

The same punishment will be applied to whoever incited to commit the crime even if it didn't occur.

(Article 19)

Anyone who violated the prohibitions stipulated in Article 7 of this law shall be punished by confinement not less than two years and not more than five years and a fine not less than EGP 50,000 and not more than EGP 100,000, or either of these two punishments.

(Article 20)

Anyone who wore masks or coverings with the intention of hiding facial features during the meeting, procession or protest, or violated the prohibitions stipulated in Articles 5 and 14 of this law shall be punished by imprisonment for a period not exceeding one year and a fine not less than EGP 30,000 and not more than EGP 50,000, or either of these two punishments.

(Article 21)

Anyone who organizes a public meeting or procession or protest without the notification stated in Article 8 of this law shall be punished by a fine not less than EGP 10,000 and not more than EGP 30,000.

(Article 22)

Without violating the rights of those who don't practice goodwill, the court shall confiscate the materials, tools, and money used in any of the crimes stipulated in this law.

Chapter Four
Procedural Provisions

(Article 23)

The referenced Law No. 14 for 1923 shall be cancelled, as well as any provisions that is contrary to this law

(Article 24)

The Cabinet shall issue necessary decrees to implement the provisions of this law.

(Article 25)

This law shall be published in the Official Gazette and shall be enforced one day following the day of its publishing.

Issued by the Presidency on November 24, 2013

Adly Mansour