Egypt | Civil Society Welcomes Decision Not to Sign Egypt's Draft Criminal Procedure Code into Law

Joint Statements · Egypt · 23 September 2025

We the undersigned Egyptian and international civil society organizations welcome the decision of President Abdel Fattah El-Sisi to not sign the draft Criminal Procedure Code into law and instead to send it back to parliament for revision. The House of Representatives has since announced that it will convene an urgent session on October 1 on the matter and has invited the Prime Minister to make a statement on the draft law.

In August 2024, Egypt's House of Representatives began discussing a draft Criminal Procedure Code that, if enacted into law, would have set the country's criminal justice system back decades. Though some minor changes were made to the text before it was ultimately approved and voted on by the House in April 2025, core human rights concerns within the law remained.

If enacted as currently formulated, the draft law would have significantly expanded prosecutorial powers, including the right to intercept private communications and issue open-ended travel bans and asset freeze orders; expanded the judicial powers of the police; permitted warrantless searches of a person's home; restricted a defense lawyer's access to case files and investigation records, interfering with counsel's ability to defend their clients; normalized and expanded remote legal proceedings, allowing them at the discretion of prosecutors and judges without cause or fair trial guarantees; and placed limitations on the ability of journalists and civil society organizations to conduct proper trial monitoring. Although the draft law did set out to decrease the maximum caps on pretrial detention, the revised limits would fail to curb prosecutors' powers to extend abusive pretrial detention without judicial oversight or to institute measures that would address the recurring practice of rotation which circumvents limits on pretrial detention periods by adding a defendant to multiple, near-identical cases, thus restarting the clock on pretrial detention indefinitely.

As the draft law made its way through parliament, it was widely critiqued by Egyptian and international civil society organizations, the Egyptian Lawyers' and Journalists' Syndicates, a large group of United Nations Special Procedures, and numerous other expert and policy voices around the world. Last May, the Office of the UN High Commissioner for Human Rights also issued a public statement calling on the Egyptian President to "to consider carefully the proposed Criminal Procedure Code in light of these concerns prior to granting any assent, in order to ensure that it fully complies with Egypt's international human rights obligations."

The Presidency's statement highlights a number of the same concerns raised by independent voices over the last few months, including those on warrantless home searches, the restrictions on the

rights of a defendant in interrogations and before courts, the need for alternatives to pretrial detention, and more generally, concerns around vague language present throughout the text that can be subject to discretionary interpretation.

As the draft text is returned to the Egyptian House of Representatives, we call on the House of Representatives to course correct by conducting a comprehensive re-write of the legislation that centers the due process rights of Egyptians, that respects Egypt's international and domestic legal commitments, and that is informed by the guidance offered by UN experts. We ask that a wide-ranging consultation process that brings in a diverse group of Egyptian legal, judicial, and human rights practitioners and experts be held to meaningfully inform the process.

Noting that although the Presidency's statement highlights a number of key concerns in the draft, the list of problematic provisions that it highlights is not exhaustive and, accordingly, a holistic reevaluation of the draft is necessary to ensure that any future version of the law meets all of Egypt's commitments and obligations enshrined in both Egypt's constitution as well as the international human rights treaties to which Egypt is bound.

Signatories

- Amnesty International
- Arab Reform Initiative
- Association for Freedom of Thought and Expression for Human Rights (AFTE)
- Committee for Justice (CFJ)
- Egyptian Commission for Rights and Freedoms
- Egyptian Front for Human Rights
- Egyptian Human Rights Forum (EHRF)
- Egyptian Initiative for Personal Rights (EIPR)
- Gulf Centre for Human Rights (GCHR)
- Human Rights Watch
- HuMENA for Human Rights and Civic Engagement
- International Commission of Jurists
- Law and Democracy Support Foundation (LDSF)
- MENA Rights Group
- Middle East Democracy Center (MEDC)
- Najda For Human Rights
- REDWORD for Human Rights & Freedom of Expression
- Refugees Platform In Egypt (RPE)
- The Tahrir Institute for Middle East Policy (TIMEP)
- Their Right – To Defend Prisoners of Conscience

Published at https://humena.org/egypt-criminal-procedure-code-revision/
HuMENA for Human Rights and Civic Engagement · info@humena.org