

Law No. 164 of 2024
Enacting the Asylum Law for Foreigners

In the Name of the People
President of the Republic

The House of Representatives has approved the Law hereto, which we have promulgated:

Article 1:

Without prejudice to international treaties in force in the Arab Republic of Egypt, the provisions of the accompanying law shall apply with regards to the asylum of foreigners. These provisions shall apply to refugees and asylum seekers as defined under Article 1 of the accompanying law and shall also apply to individuals who acquired refugee status prior to the enactment of this law.

Article 2:

The Prime Minister shall issue executive regulations of the accompanying law within six months from the date it comes into effect.

Article 3:

This law shall be published in the Official Gazette and will come into effect on the day following its publication.

This Law shall be stamped by the Seal of the State and shall be enforced as one of its laws.

Issued by the Presidency of the Republic on 14 Jumada Al Akhira of 1446
Corresponding to 16 December 2024

[Signature of the President]

The Asylum Law for Foreigners

Article 1

In execution of the provisions of this Law, the terms and expressions shall have the meanings ascribed thereto.

The Competent Ministry: Ministry of Interior.

The Competent Committee: The Permanent Committee for Refugee Affairs.

Refugee: any person being outside his country of nationality, or the country of his habitual residence, owing to a serious well-founded fear, due to a reasonable ground, of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, or due to external aggression or occupation, or events seriously disturbing public order in his country of nationality or the country of his habitual residence, and owing to such serious fear, is unable or unwilling to avail himself to the protection of that country; or who, not having a nationality being outside his country of habitual residence, as a result of such events, owing to such serious fear, is unable to return to it, whom the Committee conferred this definition on him according to the provisions of this Law.

Asylum Seeker: any foreigner who lodged an application to the Competent Committee to acquire refugee status according to the provisions of this law and the decision on his application has not been determined.

Article 2

Permanent Committee for Refugee Affairs shall be formed. The Committee shall have *persona ficta* and reports to the Prime Minister. Its headquarters shall be in Cairo City.

The Competent Committee is the entity concerned with refugee affairs, including the information and statistical data on the number of refugees, and shall specifically assume the following:

1. Asylum Application Determination pursuant to Article 7 of this Law.
2. Cooperation with UNHCR and other International Organizations and Entities concerned with refugees, after coordination with the Ministry of Foreign Affairs.
3. Coordination with the administrative authorities in the State to ensure that all forms of support, care and services are provided to refugees.

Article 3

The Competent Committee shall consist of representatives of Ministries of Foreign Affairs, Justice, Interior and Finance. The membership period shall be four years. A decree by the Prime Minister shall be issued nominating the chairman of the Competent Committee and its members, its Executive Regulations, and the financial transaction for its chairman and members within three months from the date of enforcement of this Law. The Chairman shall represent the Committee before the court and in its communications with third parties.

The Prime Minister may include representatives of relevant ministries and authorities in the membership of the Competent Committee. The competent committee may also invite experts and specialists whom their responsibilities deem necessary to assist the committee in its work field to attend its meetings.

The Competent Committee shall prepare a report on the results of its work every three months, to be submitted to the Prime Minister by the Chairman of the Committee.

Article 4

The Competent Committee shall have a technical secretariat. A decree by the Prime Minister shall be issued to determine the secretariat competencies, Executive Regulations, appoint the chairman, his term, financial transactions, and responsibilities.

The chairman of the Technical Secretariat shall be assisted in performing the tasks he is assigned by enough employees deployed to the Competent Committee from the administrative authorities in the State after the approval of the relevant authorities.

Article 5

The resources of the Competent Committee shall consist of:

- 1- Appropriations that may be allocated by the State in the general budget.
- 2- Grants, donations, gifts, subsidies, and loans received or concluded in accordance with the terms and provisions stipulated in this regard, without prejudice to its purposes, and after the approval of the relevant ministries and authorities of the State.

Article 6

Without prejudice to the provisions of the Unified Public Finance Law issued by Law No. 6 of 2022, the resources of the Competent Committee shall be deposited in a special account within the unified treasury account at the Central Bank of Egypt and shall be spent on its purposes in accordance with the rules and procedures issued by a decision of the Prime Minister based on the presentation of the Competent Committee. The surplus of its own resources shall be carried over from one fiscal year to another, and its funds shall be subject to the oversight of the Accountability State Authority.

Article 7

The asylum seeker or his legal representative shall submit the asylum application to the Competent Committee, and if the asylum seeker entered the country legitimately, the committee shall determine the status of the application within six months from the date of its submission. However, if he entered illegitimately, the period for determining the status of the application shall be within one year from the date of its submission.

Asylum applications submitted by persons with disabilities, the elderly, pregnant women, unaccompanied children, victims of human trafficking, torture, or sexual violence shall have priority in study and examination.

The Competent Committee shall issue its decision to confer refugee status or reject the application. In the latter case, the Competent Committee shall request the Competent Ministry to deport the asylum seeker outside the country, and the asylum seeker shall be notified of the decision of the Competent Committee.

The Competent Committee shall have the right, until the status of the asylum application is determined, to request the adoption of any necessary measures and procedures regarding the

asylum seeker for considerations of protecting national security and public order. All of this shall be in the manner regulated by the executive regulations of this law.

Article 8

The asylum seeker shall not acquire refugee status in any of the following cases:

1. If there are serious reasons to believe that he has committed a crime against peace, humanity, or a war crime.
2. has committed a serious crime prior to his admission to Egypt.
3. Has committed any acts contrary to the purposes and principles of the United Nations.
4. If listed on the terrorist entities list within the Arab Republic of Egypt in accordance with the provisions of Law No. 8 of 2015 regarding the regulation of terrorist entities and terrorist.
5. Has committed any acts that would prejudice national security or public order.

Article 9

The Competent Committee issues a decision to revoke the refugee status in any of the following cases:

1. If the refugee status was obtained through fraud, deceit, or omission of any essential data or information.
2. If it is proven that the individual has committed any of the acts stipulated in Article (8) of this law.
3. If it is proven that the individual has violated any of the obligations stipulated in Articles (28), (29), and (30) of this law.

The Competent Committee requests the Competent Ministry to deport the individual from the country upon issuing a decision to revoke the refugee status, as regulated by the executive regulations of this law.

Article 10

The Competent Committee, in times of war, or within the framework of measures prescribed by law to combat terrorism, or in the event of serious or exceptional circumstances, may request the adoption of temporary measures and procedures towards the asylum seeker for considerations of national security and public order, as regulated by the executive regulations of this law.

Article 11

The Competent Committee issues a document to the refugee proving their status. The executive regulations of this law specify the data included in this document, its validity period, and the procedures for its issuance and renewal.

Article 12

A refugee has the right to obtain a travel document issued by the Competent Ministry after the approval of the Competent Committee. The executive regulations of this law specify the rules and procedures for its issuance and renewal. The Competent Committee may decide, for reasons related to national security or public order, that the refugee [should not]¹ receive the travel document.

¹ The law in Arabic reads [year].

Article 13

Extraditing or forcibly return a refugee to the country of their nationality or habitual residence is prohibited.

Article 14

A refugee has the freedom of religious belief, and those of the Abrahamic religions have the right to practice their religious rituals in designated places of worship.

Article 15

A refugee is subject to the personal status laws, including marriage and its effects, inheritance, and endowment, of their country of origin or, if they have no country of origin, the country of their residence, provided this does not conflict with public order. This does not affect related rights established before acquiring refugee status, provided the completion of any incomplete procedures. All of this is regulated by the laws and regulations in force in the Arab Republic of Egypt.

Article 16

A refugee enjoys the same rights as foreigners concerning movable and immovable properties, including principal and associated rights, and has the same rights regarding intellectual property. Refugees also have the right to transfer their possessions into the Arab Republic of Egypt for residence, provided this does not compromise national security or public order. All of this is regulated by the relevant laws.

Article 17

A refugee has the right to litigate and be exempt from judicial fees if found necessary, as regulated by the relevant laws.

Article 18

A refugee has the right to work and receive appropriate remuneration for their work. They also have the right to practice freelance professions if they hold a recognized certificate after obtaining a temporary permit from the competent authorities in the country, all as regulated by the relevant laws.

Article 19

A refugee has the right to work for themselves, establish companies, or join existing companies, as regulated by the relevant laws.

Article 20

A refugee child has the right to elementary education. Refugees holding educational certificates granted abroad have the right to have them recognized. All of this is in accordance with the relevant rules established for foreigners.

Article 21

A refugee has the right to receive adequate healthcare, as regulated by the executive regulations of this law and the decisions issued by the minister responsible for health affairs.

Article 22

Except for the cases mentioned in Article (10) of this law, a refugee has the freedom to move and choose their place of residence, provided they notify the Competent Committee of their permanent residence and any changes to it. All of this is regulated by the relevant laws and the executive regulations of this law.

Article 23

A refugee shall not be subjected to any taxes, fees, or other financial burdens different from those imposed on citizens.

Without prejudice to the provision of the first paragraph of this article, the Competent Committee may request the relevant ministry to consider exempting the refugee from the fees and service charges for issuing administrative documents granted to foreigners, as regulated by the relevant laws.

Article 24

A refugee has the right to join any associations or their boards of directors in accordance with the law regulating civil society work and its executive regulations.

Article 25

A refugee has the right to voluntarily return at any time to the country of their nationality or habitual residence. The Competent Committee, in coordination with the United Nations High Commissioner for Refugees and the country of the refugee's nationality or habitual residence, shall take the necessary measures for voluntary return. All of this is regulated by the executive regulations of this law.

Article 26

The Competent Committee, in coordination with the relevant international bodies, may resettle the refugee in a country other than the one they left, as regulated by the executive regulations of this law.

Article 27

A refugee has the right to apply for Egyptian citizenship, as regulated by the relevant laws.

Article 28

A refugee is obligated to respect the constitution, laws, and regulations in force in the Arab Republic of Egypt, to observe Egyptian societal values, and to respect its traditions.

Article 29

A refugee is prohibited from engaging in any activity that would harm national security or public order or that conflicts with the goals and principles of the United Nations, the African Union, the Arab League, or any organization to which Egypt is a party or from committing any hostile act against their country of origin or any other country.

Article 30

A refugee is prohibited from engaging in any political or party activities, any work within unions, or from founding, joining, or participating in any political parties in any form.

Article 31

Anyone who enters the Arab Republic of Egypt illegally and meets the objective conditions for asylum must voluntarily present themselves to the Competent Committee within 45 days of their entry date.

Article 32

A person who arrives directly from regions where their life or freedom was in danger does-not bear civil or criminal liability for illegal entry or presence in the Arab Republic of Egypt, provided they surrender themselves immediately upon arrival to any government authorities.

Article 33

Refugee status ceases in any of the following cases:

1. The voluntary return of the refugee to the country of their nationality or to their habitual residence if they are stateless.
2. The resettlement of the refugee in a country other than the one they left.
3. The refugee's naturalization as a citizen of the Arab Republic of Egypt.
4. The refugee's voluntary re-availed of the protection of the country of their nationality.
5. The refugees voluntarily reacquire the nationality they lost and enjoy the protection of that nationality.
6. The refugee's acquisition of a new nationality and the enjoyment of the protection of that nationality.
7. If it becomes impossible to continue refusing the protection of the country of the refugee's nationality or residence due to the cessation of the reasons that led to the asylum.
8. The refugee's departure from the Arab Republic of Egypt for a continuous period of six months without an excuse accepted by the Competent Committee.

The Competent Committee issues a decision to cease the refugee status within fifteen days from the date of the occurrence of any of the cases mentioned in the first paragraph of this article. Except for the cases stipulated in items (1) and (3) of the first paragraph of this article, the Competent Ministry decides to deport the refugee from the country after the issuance of the decision above. All of this is regulated by the relevant laws and the executive regulations of this law.

Article 34

The competent investigative authority is obligated to notify the Competent Committee if a refugee is accused of committing a felony or misdemeanour or if a judgment is issued against them for any of these crimes.

Article 35

Appeals against the decisions issued by the Competent Committee pursuant to the provisions of this law shall be made before the Administrative Court of the State Council.

Article 36

Without prejudice to any more severe penalty provided for in the Penal Code or any other law, the crimes specified in the following articles shall be punished with the penalties prescribed therein.

Article 37

Subject to the provisions of the Labor Law, anyone who employs or shelters an asylum seeker without notifying the relevant police department in whose jurisdiction the place of work or shelter is located shall be punished with imprisonment for not less than six months and a fine of not less than fifty thousand pounds and not more than one hundred thousand pounds, or either of these two penalties, if it is [proven they were aware]² of it.

Article 38

Anyone who violates the provisions of Article (29) of this law shall be imprisoned for a period of not less than three years and a fine of not less than one hundred thousand pounds and not more than five hundred thousand pounds or with one of these two penalties.

Article 39

Taking into account the provisions of the Law on Combating Illegal Immigration and Smuggling of Migrants issued by Law No. 82 of 2016 and Article (32) of this law, anyone who violates the provisions of Article 31 of this law shall be punished with imprisonment for not less than six months and a fine of not less than ten thousand pounds and not more than one hundred thousand pounds, or with one of these two penalties.

² The law in Arabic reads [work].