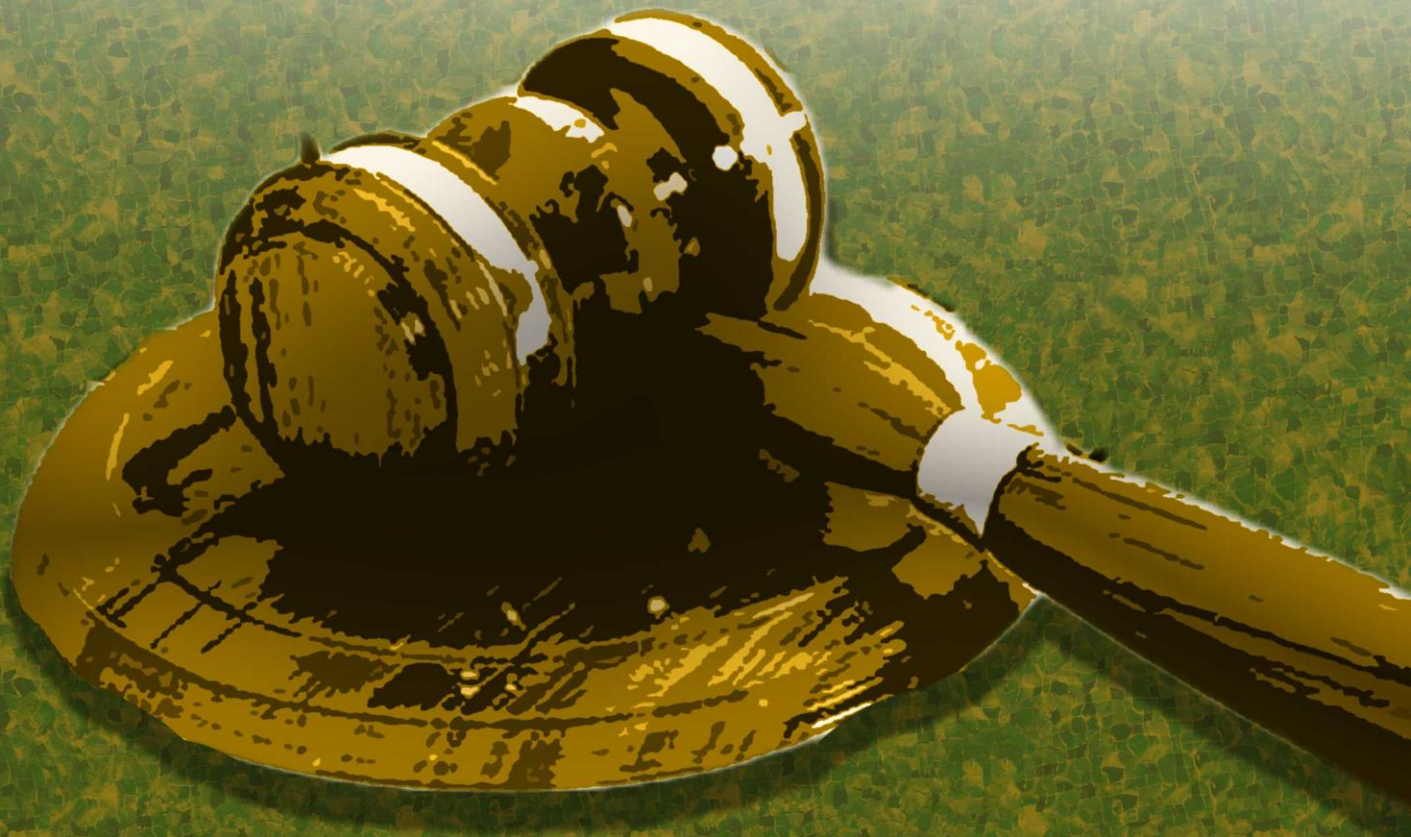


ACIJLP CALLS ON THE EGYPTIAN GOVERNMENT TO DEFER THE APPLICATION OF THE CRIMINAL PROCEDURES LAW FOR ANOTHER YEAR



المركز العربي لاستقلال القضاء والمحاماة
THE ARAB CENTER FOR THE INDEPENDENCE OF
THE JUDICIARY AND THE LEGAL PROFESSION
(ACIJLP)



مؤسسة دعم العدالة
JUSTICE SUPPORT FOUNDATION (JSF)

ACIJP calls on the Egyptian government to defer the application of the Criminal Procedures Law for another year

As the date approaches for the application of the Criminal Procedures Law No. 174 of 2025, scheduled to take effect on October 1, 2027 pursuant to Article 6 of its promulgating provisions, debate and disagreement have once again intensified over a number of its provisions, particularly those introducing new measures and powers. These include travel-ban orders, expanded powers for the General Prosecution, provisions concerning the right to defence and safeguards for defendants, remote trials, and other provisions of the law. These issues have been the subject of criticism and calls for amendment by civil society organisations, law professors, relevant United Nations committees and the Special Rapporteurs of the UN Human Rights Council.

The Arab Center for the Independence of the Judiciary and the Legal Profession (ACIJP) considers that the legislative impact of this law and the consequences of its application are potentially so serious that they may prove difficult to remedy or assess in the near term. At its core, the disagreement over the law's provisions concerns the procedural safeguards that must be in place to ensure the proper administration of justice, rather than undermine it, in accordance with the Egyptian Constitution and the relevant international conventions to which Egypt is a party. The Constitution accords these conventions a special status and guarantees their implementation and observance, as provided for in Article 93 thereof.

The ACIJP further considers that, in the interests of the proper administration of justice, it would be appropriate at this stage to defer the application of the law for another year, so that it would enter into force on October 1, 2027. This would allow time to examine the contentious issues raised in relation to the law, which civil society organisations, legal scholars and UN Special Rapporteurs consider to significantly undermine procedural safeguards, impair the right to defence and fail to meet the standards of fair and equitable trials, as well as to contravene the comments of the Human Rights Committee concerning Articles 7, 9 and 14 of the International Covenant on Civil and Political Rights.

The ACIJP stresses the need to give particular consideration to the issue of pre-trial detention, which could be affected by the application of the new law. The Center also emphasizes that the current provision closely resembles the amendment to Article 143 introduced by Law No. 145 of 2006 concerning the periods of pre-trial detention. That amendment established maximum periods of pre-trial detention at all stages of criminal proceedings of six months for misdemeanours, 18 months for felonies, and two years where the prescribed penalty for the offence is life imprisonment or the death penalty.

The ACIJLP therefore calls on the Prime Minister of Egypt and the ministers concerned to defer the application of Law No. 174 of 2025 for another year, so that it would enter into force on October 1, 2027, in light of the considerations set out above and pending confirmation that all the implementing procedures required under the law have been completed and that officials of the ministries concerned have been adequately trained in accordance with its provisions. The Center further calls for the safeguards relating to alternatives to pre-trial detention to be applied in accordance with the amendment to Article 143 introduced by Law No. 145 of 2006.

Cairo, September 20, 2026