



Lawyers Union
For Democratic and Legal Studies

United Nations Human Rights Council

Office of the high Commissioner for Human Rights (OHCHR) **Shadow Report , Egypt , 2010 UPR :** [Restrictions imposed on the non – governmental organizations :](#)

Non – governmental organizations are still suffering from the governmental restrictions on all their moves and activities , and also , NGOs are still suffering from violent control which reduces their hopes in public work , specially related to human rights .

We can conclude these restrictions in specific points , starting with law no. 84 for the year 2002 which controls NGOs in Egypt , and includes many defects such as :

1- Difficulties in establishing NGOs : as establishing new NGO requires the approval of the ministry of Social Solidarity , and the approval of security agencies , which take much times , in some cases 6 months , and it may end with rejecting the request of the new NGOs .

2- The civil associations law no.84 for the year 2002 imposes restrictions on the civil work in Egypt , by giving wide powers to the point administration (the ministry of Social Solidarity) in tying civil work in establishing , or activities or sources of financing .

3- The law gives wide powers to the point administration , which is the ministry of Social Solidarity , and the right to interfere in the affairs of the board of directors , and rob the responsibilities of the board of directors .

4- The law of the NGOs gives the minister of Social Solidarity the right to dissolve the association (the NGO) .

and as a result of all these obstacles , most of NGOs lean to other legal and alternative ways , such as establishing organization in the form of non – profit civil companies or law firms to avoid obstacles and do its activities through these law centers without control may threaten with dissolving or give any security agency of the ministry of social solidarity the right to interfere in the cases of financing or the organization activities .

But , problems don't come to end as there are many restrictions imposed on the work of NGOs in the form of civil companies or law firms such as :

1- The authorities put pressures on hotels to refuse hosting the activities of human rights or supporting democracy , and the reasons aren't related to security , but related to the hotel it self and the reasons are always unconvincing .

2- Affecting the print offices not to print any thing related to human rights or democracy , and printing offices always have fears from printing any thing without getting the approval of the security agencies . Certainly , it is very hard to get such approval because the security agencies never give it , and in case they give approval , the never give it written , it is always oral .

3- The problem of funding : as a serious problem because most donors finance only organizations recorded in the minister of Social Solidarity , and the regime (or the ministry) controls the process of approving on organization , although it is not serious .

- Then , the Non Governmental Organizations call for :

The necessity of finding new legislation for the NGOs and for the NGOs in the form of non- profit companies or law firms and the new legislation should be Compatible with the international law , Universal Declaration of Human Rights , and the international Covenant on Civil and Political Rights . Also , the new legislation should include explicitly the freedom of joining NGOs and not to put restrictions limiting them .

The new legislation should include that all NGOs have their independent corporate moral personality without any authority related to the government and interferes in the NGOs' affairs or activities . Establishing any new organization should be by informing the founders with the agreement without any other terms like : the term of place or the approval of security agencies or the approval of the ministry of Social Solidarity .

The organizations should the right to have independent budget, increase its financial resources and announce all their activities including financing and getting aids from out side . The problem of foreign financing causes many fears for the NGOs because of the charges of working with foreign agencies against the national interests . To avoid this problem , we call the government for encouraging NGOs to get foreign aids, and to get aids and voluntary from inside (from companies or persons for example) and these aids can be deducted from the taxes of donors .

Concerning the principle of accountability , it should be from the internal system of the organization , by its members and its board of directors , in addition to the supervisory role of the public opinion and media sources and the NGOs them selves should publish their budgets and introduce them to the relevant agencies in the part of associational work.

and finally ,

To develop the performance of civil society in Egypt , the state should stop interfering in its work .

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