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The American University in Cairo

School of Global Affairs and Public Policy

To What Extent Do The Legal Restrictions on Non-Government Organizations in Egypt Undermine NGOs' Ability to Achieve Their Goals?

Thesis submitted to

Public Policy and Administration Department

In partial fulfillment of the requirements for the degree
of

Master of Public Policy and Administration

By Mohammed Sirajalden Hassan

Under the supervision of
Dr. Jennifer Bremer

June 2010

Abstract

The Egyptian civil society is the biggest civil society in the region. The current law governing non-government organizations (NGOs) in Egypt is Law 84 of 2002. This law is considered by several scholars as highly restrictive law. Non-government organizations in Egypt have faced legal restrictions on their operations and struggled for years to meet the requirements of this law. This research assesses the impact of the law on Egyptian NGO operations and their ability to pursue their missions effectively. Six areas of impact were explored based on a typology of regulatory impact adapted from the literature. Several non-government organizations were interviewed to explore and analyze the difficulties that are hindering these NGOs from achieving their goals. A written questionnaire and interviews were conducted with human rights and educational/services non-government organizations to collect detailed information about the difficulties they are facing under the current law. This exploratory research points to differences between human rights and educational/service NGOs in problems they confront in compliance with Law 84.

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Chapter One

Introduction

1.1 Introduction

One of the key elements for development is civil society. Around the world, there are many civil organizations plying vital role in providing services, promoting for democracy, and creating social movements. We can find some civil society organizations having “anti-democracy” or “anti-development” agenda. A large number of scholars have put forward several different definitions for civil society. However, the majority agrees on the importance of civil society in promoting democracy while others call civil society the third sector for its vital role in the development process. In the World Bank website, the bank defines the term civil society as a

Wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. Civil Society Organizations (CSOs), therefore, refer to a wide of array of organizations: community groups, non-governmental organizations (NGOs), labor unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations. (World Bank Organization, 2010)

Civil society in any country includes groups of people, non-government and charitable organizations, syndicates, unions, and institutions that do not belong to government or the business sector. All aim to increase public awareness regarding serious issues facing society as well as influence decision makers at the government level to create solutions for dealing with these issues. In addition, non-government organizations play an important role in delivering social services and implementing development programs, whether called for by governments, donors, or local residents.

If we take the society in any country, we will find that in each society there are three players in addition to the individuals citizens themselves: the community, the government, and the business sector. (Edwards, 2004) Ideally, all these players should collaborate on their plans and efforts through collective action to help the society to overcome issues that are facing it and to achieve sustainable development. This can be clearly identified in Secretary-General Ban Ki-moon's speech at the World Economic Forum in Davos, Switzerland on 29 January, 2009. According to Ki-moon, "Our times demand a new definition of leadership - global leadership. They demand a new constellation of international cooperation - governments, civil society and the private sector, working together for a collective global good." This shows that concerted efforts are the key to achieving the collective aims of the three main players, the community, the government, and the business.

In the Arab context, several factors work against civic development. Some of these factors include the absence of the concept of voluntary work in education systems pervading most of the Arab World. In several Arab countries, education systems are not encouraging students to participate in social services or in volunteer works. The lack of democracy in Arab centralized governments as well as the legal restrictions on non-government organizations in Arab countries, such as Egypt. "As individual citizens, few Arabs feel they have any power to change current conditions in their country through political participation. This seems clear from the decline in levels of political participation in some of the most stable Arab states" (United Nations Development Programme, 2009, p 73)

All these factors combine to hinder the civil society in most Arab settings from playing its fundamental role of promoting democracy and helping people in these

countries to access better education, more job opportunities, enhanced health services, greater political freedom, and human rights in order to build a strong society

In this regard, we find tangible support from the West, most notably the provision of funds for civil society organizations (CSOs) active around the world, including those in Arab countries.

Arab CSOs play a significant role in spreading awareness of human rights issues by expanding the agenda and by demonstrating public concern for that agenda through their intervention. Their public image is however often tarred by Arab governments, which characterize them as agents of foreign powers dependent on foreign funding. They frequently encounter government-imposed restrictions, obstacles and harassment, and hence have limited membership. The general reluctance of political parties to work with them considerably hampers their efforts to propel Arab societies towards the rule of law. (United Nations Development Programme, 2009, p 72)

In developing countries, non-government organizations are working as a middle player in delivering services for the society. The NGOs' role is important in providing several services that governments of developing countries are not able to provide because of overpopulation or slow-growth of their economies. "The World Bank supports the use of NGOs as - "sub-contractors" - to deliver services to communities or certain categories of citizens (e.g., poor, parents). NGOs are increasingly seen as complements of, if not replacements for, local and central governments in services that depend on strong community knowledge, flexibility, and personal commitment." (World Bank Organization, 2010)

Non-government organizations are targeting poor people in rural areas because they lack basic services such as education, health care, and in some countries clean drink

water. But, in many countries, these NGOs are struggling under governments' opposition because these governments do not like to lose their central role in providing services for their communities since this will make their public agencies look weak. "A common obstacle to NGO service delivery that the Bank needs to address frankly is government opposition. NGOs that are contracted to do such work necessarily replace government agencies, whose leaders are unlikely to be neutral about their loss of power." (World Bank Organization, 2010)

Actually, non-government organizations are suffering from the lack or incomplete nature of the legal environment for civil society in many parts of the world. NGOs, in many events, called for a legal environment that can help them to thrive and work freely.

A crucial part of the enabling legal environment for civil society organizations involves arrangements for such organizations to incorporate and thus acquire formal "legal personality." Governmental action is crucial to the extension of legal personality status to civil society organizations and is often accompanied by some form of registration and regulation. (International Center for Not-for-profit Law, 2005)

The aim of this research is to explore and analyze the legal restrictions placed by the government on non-government organizations in Egypt, particularly Law 84 of 2002, with some consideration of the proposed new law. Through this paper, I will try to measure to what extent Law 84 of 2002, the major law governing NGOs in Egypt, undermines the stated mission of NGOs in Egypt. I will try to examine to what level this law has curtailed Egyptian NGOs' activities and hindered them from participating in helping the society.

The paper consists of four chapters. The first chapter will include the introduction and statement of the problem. The literature review will be presented in Chapter Two which begins with a comparative review of the environment in two Arab states with a similar political and social structure to Egypt. This review provides overall context for the examination of literature on the situation of NGOs in Egypt, which follows. This includes a review of what certain scholars have written about non-government organization in Egypt in terms of legal restrictions and the idea of civil society in general. This chapter also provides a brief history of the development of NGO regulation with an emphasis on the post-revolutionary period. In Chapter Three, I will introduce my methodology and how I plan to collect my research data. Through Chapter Four, I will analyze the data collected through this research and will discuss these findings and give overall conclusions.

1.2 Statement of the problem

This research explores and analyzes the legal restrictions on non-government organizations in Egypt in light of Law 84 of 2002, and assess to what extent this law undermines NGOs in achieving their mission. In fact, legal restrictions are common in several Arab countries such as Jordan, Lebanon, Algeria, and Egypt (Pitner, 2000). According to the World Alliance for Citizen Participation (CIVICUS), which is an international alliance devoted to promoting and enhancing the civil society and popular action globally, the civil society around the world faces several barriers, some of which include legal restrictions on registration and funding and the lack of freedom to carry out their activities.

The threats civil society face include, among others, the introduction or existence of laws restricting the registration or funding of organisations, individual but systemic targeting of human rights defenders, including arrest, detention and restrictions on travel, arbitrary closure of organisations, and barriers or attacks on the exercise of the rights to free expression and assembly. In 2008 alone, CIVICUS tracked such threats in 61 countries. In the same year, over 14 countries introduced or sought to introduce laws restricting civil society and undermining human rights. (CIVICUS, 2010)

Egypt was chosen as the subject for their research because it is the most populous country in the Arab World and it merits serious consideration from the West due to several factors such as geographic location, historical background, and political stability. In addition, Egypt offers an interesting case for analysis of NGO issues because it has the biggest civil society in the Arab World. There were roughly 17,000 non government organizations registered in Egypt in 1997 (Edwards, 2004). Some scholars think that the number of non-government organizations in Egypt in 2003 was roughly 17,000 to 22,000. Most importantly, according to some articles further discussed below, although the Egyptian civil society is the biggest and most active civil society among the Arab countries, the Egyptian Law 84 of 2002 is very restrictive, thereby empowering the Egyptian government to heavily control the activities of non-government organizations as it sees fit.

Among civil society in Egypt, there has been a wide debate about the legal restrictions on non-government organizations, especially those stemming from Law 84 of 2002. In several instances, Egyptian non-government organizations have voiced complaints about this law because it is seriously hindering their attempts to work freely.

A coalition of more than 150 NGOs (organized by the Egyptian Organization for Human Rights and the Cairo Institute for Human Rights Studies) has weighed in with its own proposed amendments to the current

law. The coalition is also pushing for a narrower definition of political activities prohibited to NGOs, decreased security intervention in NGO activities, and more lenient foreign funding practices. (Guirguis, 2009)

They believe that the Egyptian government is putting more pressure through this law to hamper Egyptian organizations' activities, especially in areas such as human rights and political activities. Moreover, through this law, the government is now able to interfere at anytime in non-government organizations' activities and plans. For instance, some non-government organization have complained that the government takes a long time to approve any international funding which puts NGOs in a difficult situation because NGOs desperately need these funds to carry on their activities. "Foreign funding is the most essential financial source for civil human rights and development associations, especially because financing from Egypt's private sector for such organizations does not exist." (Egyptian Center for Women's Rights, 2008)

To conduct this research, interviews with many non-government organizations and questionnaire were used. The questionnaire relied on a designed sample of Egyptian NGOs. This section of this designed sample was done according to the nature of the NGOs activities, encompassing education and social services as well as political activities and human rights. The questionnaire developed to distribute among this sample is shown in Appendix. The research explored the impact of Law 84 on these two types of Egyptian non-government organizations because some scholars claim that this law primarily restricts those NGOs concerned with political activities, promoting democracy, and human rights.

Unlike associations, charities are able to accept donations without prior approval. "The new civil associations law has no impact on the charity's activities, as it is meant only for human rights

organizations.... Our charity receives about 30,000 EGP [about \$5,200 USD] monthly in donations, and we are not obliged to obtain approval from the administrative bodies,” declared Dr. Mohammad Al-Fangary, the Chairman of the Islamic Charity Association in Al-Ahrar on June 13, 2002. In contrast, AHED must obtain approval from the Ministry of Social Affairs before receiving funds from United Nations bodies, even though these international bodies have agreements with the government. (Agati, 2007)

My main research question is thus:

“To what extent do the legal restrictions on non-government organizations

in Egypt undermine NGOs’ ability to achieve their goals?”

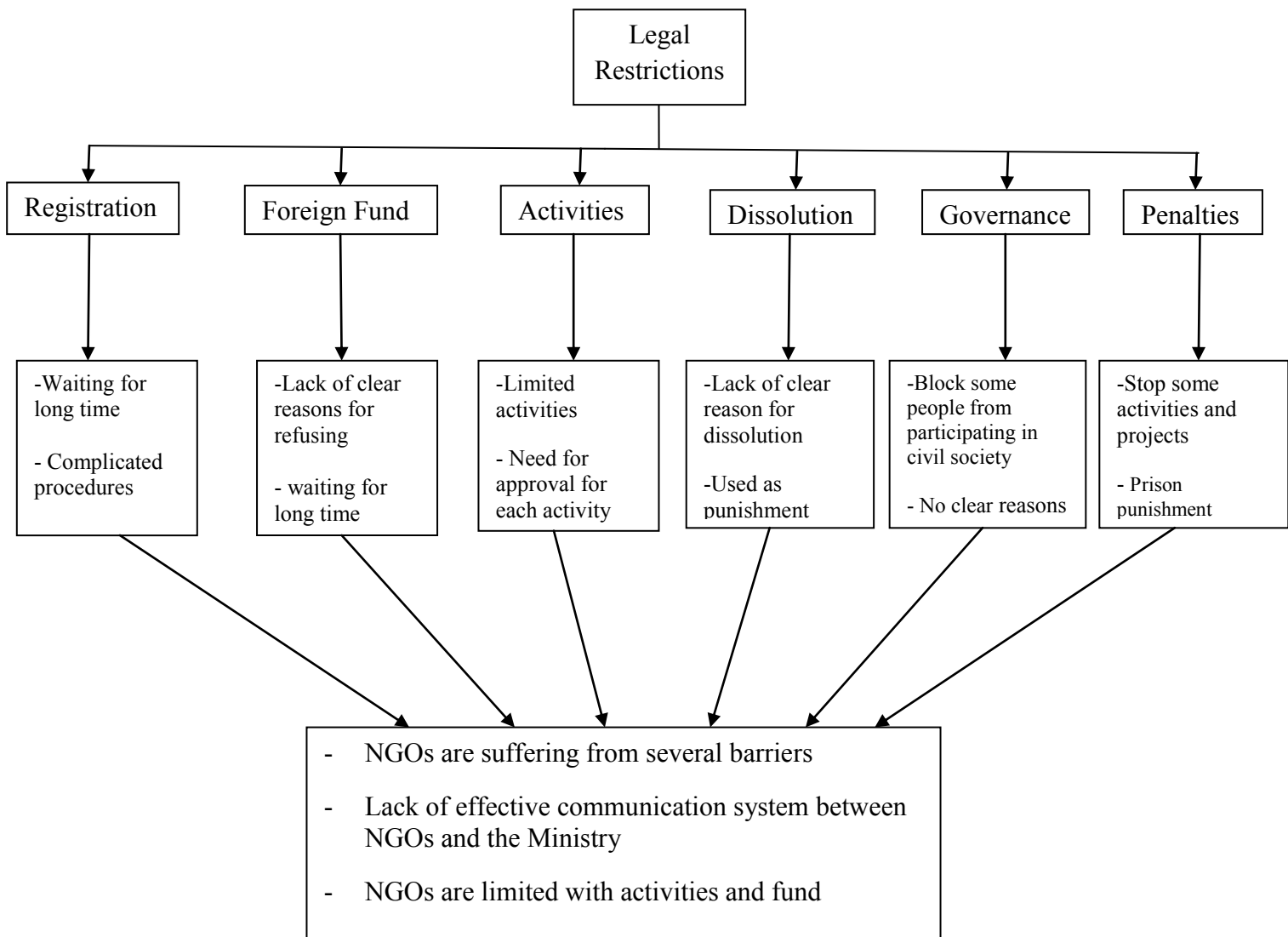
The research will explore several more specific research questions related to the above overall question:

- 1- What are the effects of Law 84 of 2002 on NGOs?
- 2- What are the problems facing NGOs because of Law 84 of 2002?
- 3- Does this law encourage existing and prospective NGOs to participate in the development process?

1.3 Conceptual framework

This section explains the relationships between the adopted six criteria and the obstacles that Egyptian NGOs are facing because the current NGOs law. This figure shows the legal restrictions which are represented here in the six criteria and

provides some information about it. The figure explains the relation between the six criteria and the current problems that human rights and educational/services NGOs in Egypt under the Law 84 of 2002.



The research focuses on human rights and educational and services non-government organizations.

- Human rights non-government organizations are groups of people that working on raising people awareness about their rights and influencing decision makers. Due to their activities, they are depending mainly on foreign funds because of their political activities and they always have confrontation with the government. The number of these
- Educational and services non-government organizations are groups of people working for providing several services, such as educational, health services, vocational training, and others . These NGOs are mainly targeting people who are living in rural areas and slums. Their agenda is improving education quality, enhancing life conditions, and providing education for all.

Chapter Two

Literature Review and Regional Comparative Analysis

Literature review and regional comparative analysis

In this chapter, I will briefly summarize what scholars have written about the role of regulation in limiting civil society effectiveness. In addition, the regulatory environment for civil society will be examined in two countries in the Middle East, Algeria and Jordan, which can serve as comparators for Egypt and provide context for a consideration of the restrictiveness of legislation in Egypt. Finally, I will present a brief summary of the literature on civil society in Egypt, its development over time, and the impact of Law 84 of 2002 on NGOs.

2.1 The role of regulation in limiting civil society effectiveness

Many scholars have discussed regulatory restriction of civil society effectiveness because it is a common issue in several countries. In several countries, civil societies are facing different problems such as barriers to entry and fundraising restrictions that discourage civil society organizations from operating effectively. This discussion will highlight difficulties in each of the six barriers identified in the conceptual framework – registration (barriers to entry), funding (particularly from foreign sources), activities, dissolution, governance, and penalties – which will also be used to in the data analysis and conclusions section that follows.

Environmental NGOs in China offer an example of difficulties faced in several of these areas, beginning with the *registration* stage. They are required to register with the Ministry of Civil Affairs. If they are not registered, they will face difficulties to receive funds, to have legal rights, and they will not be able to contact government offices. (Schwartz, 2004)

To register, NGOs must first undergo examination by a government bureau with a connection to the NGO's area of interest. After an initial screening process, application can be made to the Ministry of Civil Affairs. The relevant government bureau then plays a supervisory and leadership role for the NGO, with responsibility for financial and political affairs. (Schwartz, 2004, p 37-38)

Not only that, but these NGOs are suffering from difficulties to receive *funds*, and some consider this issue as the most difficult one. “Perhaps the greatest constraint on China's environmental NGOs is funding” (Schwartz, 2004, p 40)

In other countries, there are several *barriers to entry* facing non-government organizations. NGOs do not have the right to be legal organization like in Libya, while in Saudi Arabia organization can be registered only with royal permission. “In Libya, there is no legally-recognized right to associate. In Saudi Arabia, only organizations established by royal decree are allowed”. (ICNL, 2008, p 10)

Barriers to *registration* come in different forms in some countries, such as no specific time period for receiving approval, high fees for registration, and many documents being required in the registration process.

In Azerbaijan, the regulations governing the registration process are vague and leave great discretion to registration officials, leading to excessive delays, repeated requests for information, and sometimes outright denial of registration. (United States Agency for International Development Bureau ,2006, p 20)

In Russia, for example, the *registration* process takes months and most NGOs consider it difficult. Some NGOs hired lawyers to follow up the registration process. “Registering an NGO is considerably more time-consuming, burdensome, and costly than registering a commercial organization”. (Human Rights Watch, 2009, p 26)

Another barrier that faces civil society organizations is to receive *funds*. It is a crucial issue for most NGOs because without funding they will not able to work. In some countries, there are prohibitions against receiving foreign funds. “In Eritrea, the

government issued Administration Proclamation No. 145/2005 that broadly restricts the U.N. and bilateral agencies from funding NGOs... [This allows] NGOs to receive funding only if there is insufficient capacity at the ministry level.” (ICNL, 2008, p 18-19)

In other countries like Algeria and Egypt, the case of foreign fund is different. An advanced approval is required to receive foreign funds. NGOs in these countries are required to have the Ministry approval first and this approval could take time and in some cases the Ministry refuses these funds.

Foreign donations to associations in Algeria must be pre-approved by the Ministry of Interior. Egyptian NGOs can be severely punished for collecting or sending funds abroad without official permission, or for affiliating with a foreign NGO network or association without ministry permission. (ICNL, 2008, p 19)

Some countries tried to control foreign fund. In Eritrea, funds should go through the Ministry. The government is trying to have more control the funds that coming to NGOs.

In addition, NGOs have others barriers such as barriers to speech and to communication, affecting their *activities*. In some countries, many NGOs and especially human rights NGOs are suffering from legal restriction that prohibits these NGOs to speak and to engage in advocacy freely. For instance, some countries such as United Arab Emirates and Uganda are using censorship and restrictions on publishing materials.

In the United Arab Emirates, the Law on Associations (1999) requires associations to follow government censorship guidelines and to receive prior government approval before publishing any material. In Uganda, NGOs wishing to publish human rights materials must submit them to

the Government Media Center for scrutiny before publication. (ICNL, 2008, p 15)

These brief examples illustrate that civil society faces many difficulties to operate effectively. Legal restrictions that hinder civil society organizations are common in several countries.

2.2 Civil society in the Arab Countries

I will discuss NGOs laws in two Arab countries in order to give a clear picture about civil society and freedom of association around the Arab region. I chose Algeria and Jordan because there are some similarities between these countries and Egypt, such as the existence of an emergency law and a vibrant civil society, as well as the general stage of development. All three countries – Egypt, Algeria, and Jordan – may be regarded as falling in the middle of the range of Middle Eastern countries with regard to NGO legislation. On the one hand, they are not as open as, for example, Lebanon, but on the other hand, they are not as repressive as some countries, such as Saudi Arabia, which does not have many civil society organizations and effectively banned such organizations until 2003.

2.2.1 Algeria

Like Egypt, Algeria has had an emergency law in place for many years. This may impact the NGOs' situation in this country in many ways. The Algerian NGOs are really suffering from severe restrictions and difficulties with registration, in particular. "The constitution provides for the right of association; however, the

government and the emergency decree severely restricted this right in practice” (U.S. Department of State, 2010).

Under this emergency law, NGOs' abilities to participate freely in promoting democracy and helping the society have been significantly diminished.

The government issued licenses and subsidies to domestic associations, especially youth, medical, and neighborhood associations. The MOI regarded organizations unable to attain government licenses as illegal. Domestic NGOs encountered bureaucratic obstacles to receiving financial support from abroad. Although not illegal, financial support from abroad is conditioned on a series of authorizations from the ministries of interior and national solidarity. These authorizations were difficult to obtain. (U.S. Department of State, 2010)

Such is the impact of emergency laws, in fact, that since their implementation in 1992, “freedom of assembly and demonstration are sharply curtailed, and all public gatherings required prior permission from the authorities”. (Zaki, 2007, p. 36)

The NGO law in Algeria is the Associations Act of 1990 (Act 90-31), which is a very restrictive law. According to this law, formal government approval is mandatory prior to their formation of associations. The licensing process is a complicated one in Algeria. NGOs need to have a declaration of incorporation that includes information about the founders and this declaration should be filed with the government of the province of the NGO’s headquarters. If the NGO has more than one office around the country, it should have the approval of the Ministry of the Interior. This Ministry should reply within 60 days; if not, the NGO is considered to have been approved. In case of rejection, the NGO can go to the Administrative Court which should respond within 30 days. This process is the same for foreign NGOs, but they need the approval of the Ministry of the Interior regardless of their geographic location inside the country. “Foreign NGOs that wish to establish offices

in Algeria are not subject to any explicit extra requirements, but their licenses must be approved by the Ministry of the Interior regardless of the geographic scope of their operation.” (Elbayar, NGO Laws in Selected Arab States, 2005, p. 6)

The Ministry of the Interior (MOI) may deny a license to, or dissolve, any group regarded as a threat to the government's authority, or to the security or public order of the state. (U.S. Department of State, 2009)

The Algerian NGOs have the right to increase their domestic funds, but if they want to receive international funds, approval from the Ministry of the Interior is required. Not only that, the approval of the Ministry of Interior is required for Algerian NGOs in order to join foreign associations. These provisions actually hinder NGOs from meeting and joining international organizations and learning and gaining experience.

The Algerian NGOs law, in common with other laws in the Middle East, requires NGOs to report information about their NGO and the law banned NGOs from having any kind of relation with political organizations.

The Southern Movement for Justice (SMJ) was organized in March 2004 with the objective of creating political awareness for politicians to address the south's high rates of poverty, illiteracy, and unemployment. In October 2004, the government arrested 10 SMJ delegates for organizing meetings of a non-recognized association following two peaceful protests. (U.S. Department of State, 2005)

However, the Algerian law gives NGOs the right to participate in debates and express their opinion about political changes and support candidates. Although some Middle East countries recognize the importance of civil society by trying to motivate NGOs' activities, in Algeria the law does not give civil society organizations any financial incentives. “The law does not encourage the formation of NGOs by providing

any direct or indirect financial benefits, such as tax exemptions or public utility discounts” (Elbayar, NGO Laws in Selected Arab States, 2005, p. 6)

Finally, if the Ministry of the Interior wants to dissolve or stop an NGO, the Ministry needs first to have permission from the court and prove to the court that the NGO in question has violated the law. However, because the Algerian NGO law is broad, the Ministry can easily obtain permission from the court. If members of a suspended NGO continue to have any activities, Act 90-31 imposes a fine and from three months to two years' imprisonment.

From the above, it is quite obvious that the Algerian NGOs law is a restrictive one. This law definitely hinders the civil society from playing its given role. The situation in Algeria regarding the emergency law is more or less the same as in Egypt.

2.2.2 Jordan

Jordan also has a large civil society and very restrictive NGOs laws, which are, to some extent, similar to those of Egypt.

The Hashemite Kingdom of Jordan is a good example of the social control dimensions of civil society in the Middle East. First, it closely follows the pattern of civil society development in Middle East countries that have experienced political liberalization, whereby regime-initiated reforms lead to the growth of carefully regulated civil society organizations. Second, as one of the most democratic countries in the region Jordan represents a more advanced manifestation of the political tendencies now emerging in the Middle East. (Wiktorowicz, 2000, p.44)

Jordan has the oldest NGOs law in the region which is the Societies and Social Bodies Law No. 33 of 1966 which allows the government to have strong control on civil society associations. “The administrative control and regulation of civil society

in Jordan reflect a growing trend away from overt repression toward less visible forms of social control in the region” (Wiktorowicz, 2000, p.44) .In 2008, a new law, the law of associations (No. 51), was issued and it also gives the government more power over civil society organizations, leading to the raising of strong criticisms to this law from civil society organizations. In response, an amended law of associations (No. 22) was issued in 2009. Recently, in Jordan, there were more than two thousand non-government organizations registered in the Ministry of Social Development. As with other non-government organizations in the region, the Jordanian NGOs are suffering from several obstacles; for example, there are barriers to entry such as mandatory registration and a difficult registration process due to government discretion. According to the amended Law of associations (No. 22) the registration of associations is mandatory, but the law does not mention what the penalty for unregistered organizations is. In addition, all members of founding associations should be Jordanian, over 18 years old, and have clean criminal and moral records. If there is a foreign founder in the organization, the organization must have the approval of the Council of Ministers. The time period for an organization to register is 75 days. (International Center for Not-for-profit Law, 2008)

Additionally, Jordanian NGOs faced restrictions in terms of political activities. It is not allowed for organizations to have political goals or activities. For foreign funding, NGOs should first have government approval in order to have any international funds and to collect domestic funds from individuals or the private sector. If a non-government organization wants to receive a foreign grant, it must submit a request to the Council of Ministries mentioning the amount and source of this fund, the transfer method, and the purpose of this fund. After receiving this

request from an NGO, the council will issue its approval or disapproval within thirty days. For domestic funds, on the other hand, only prior approval is required. According to the Income Tax Law No. 75 issued in 1985, Jordanian associations are exempted from tax on income and donations that they get, which are also exempted from tax. NGOs can have free contact with international organizations, however. (International Center for Not-for-profit Law, 2008)

In these two countries, Algeria and Jordan, we notice the severity of the legal restrictions on the civil society organizations. Most of the Middle East countries share the same philosophy of controlling and heavily monitoring civil society. Algeria, which has an emergency law like Egypt, implements a restrictive NGOs law; Jordan, which is considered one of the most democratic countries in the Middle East, also has restrictive civil society laws. Like Egypt, these two countries are using the strategy to control civil society, creating barriers on civil society organizations in order to keep them tightly reined in by government supervision.

| | Registration | Foreign Fund |
|--------------------|--|-----------------|
| Egyptian NGOs Law | -Approval letter - Complicated process | -Prior approval |
| Algerian NGOs Law | - Approval letter - Complicated process | -Prior approval |
| Jordanian NGOs Law | - Approval letter - Complicated process | -Prior approval |

2.3 Egyptian Civil Society

Before Law 84 issued in 2002, there was Law 153 issued in 1999. The government discussed the draft of this law with civil society organizations, but the

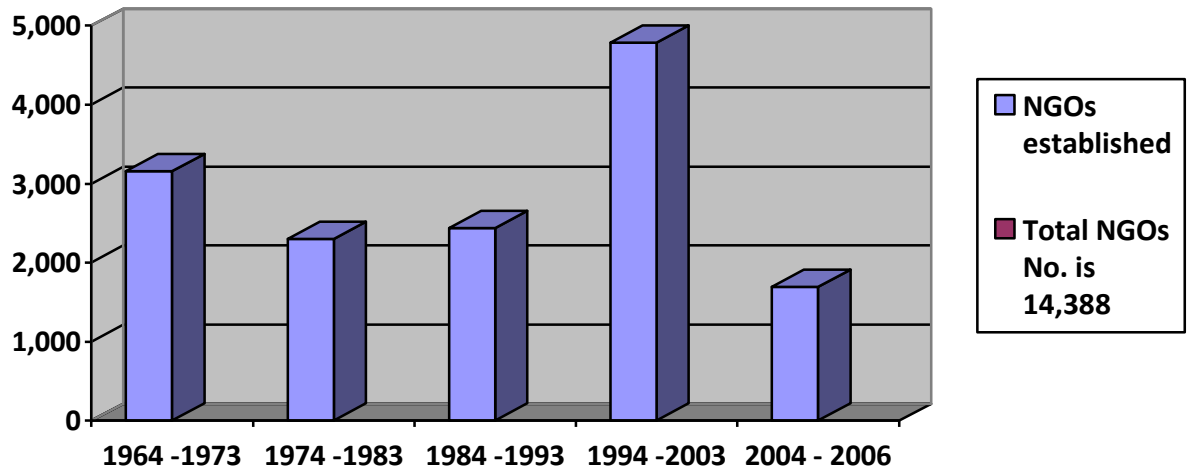
government did not agree with CSOs' suggestions and sent its own law draft to the parliament. "What has provoked such a high degree of outrage is the degree to which Law 153 permits government interference with the activities of NGOs. In addition, the law as passed differs from the draft that had been accepted by civil society leaders as an outcome of the collaborative process." (International Center for Not-for-Profit Law, 1999) After this, the government did not discuss any other new laws with CSOs. Law 153 was heavily criticized by CSOs because it gave the government the right to severely control NGOs. In 2002, the government issued Law 84 which is as restrictive as Law 153. "Under Law 153 of 1999, later declared unconstitutional, the ministry had to go to court if it wished to reject the application of an association. Under Law 84, the NGO must initiate any court involvement. This puts the burden on the fledgling NGO and thus is a step backwards." (Sissons, 2005, p. 10)

Most articles that discuss the Egyptian civil society agree that law 84 is "one of the most restrictive in the world" (Gubser, 2002, p. 141) and helps the government to co-opt non-government organizations.

2.3.1 Background

The first civil society organization (CSO) in Egypt was established in 1821. In the twentieth century, the number of CSOs increased rapidly.

Table 1 Number of NGOs established



(Source: Egyptian Human Development Report 2008, page 68)

Table 1, based on information in the Egypt Human Development Report 2008, suggests that there is a relationship between the number of established NGOs and the NGOs law. We can recognize this relation in the time period 2004 to 2006, after Law 84 of 2002 entered into force. The number of established NGOs increased to 1,694, which means that the rate of establishment went up to 850 NGOs/yr. However, under the current law, as well be seen below, certain types of NGOs are more restricted than others. The more important than the increased number of NGOs is the quality of these NGOs and if there are enough NGOs that are working in a specific field. “The yardstick that determines success is not numerical but qualitative. This takes into account the relevance of each field of activity to national needs and priorities, the efficacy and competence of associations according to salient benchmarks, and the presence of good governance practices.” (Handoussa, 2008, P.69)

Civil society organizations are not only providing different services to the public, but they also participate in developing the social capital. "Social capital refers to the institutional system and the relations, habits, and traditions that affect all aspects of life, which are reflected in the social and economic interactions that directly influence the development process" (Allam, 2003) The civil society provides space for people to work together in several issues they interested in and gives these people the opportunity to have an influence on the community. Civil society organizations are important to cerate bonds and trust between members of the community and this will help in developing social capital. "civil society can be seen as the foundation on which social capital is built" (Egypt Human Development Report, 2008).

This section of the literature review focuses on the history of Egyptian NGOs after the year 2000 in order to explore the situation of NGOs before and after Law 84 of 2002. The number of non-government organizations in Egypt is increasing, but it is difficult to estimate the exact number of non-government organizations in Egypt. According to the Ministry of Social Solidarity, the estimated number of civil society organizations in 2007 was 21,500. But, in the same year, the Egyptian General Federation of Associations reported that the estimated number of Egyptian NGOs was 15,500. (Handoussa, 2008)

According to the Egyptian Human Development Report of 2008 prepared by the United Nations Development Program, the demographic distribution for non-government organizations in Egypt shows that most of NGOs are concentrated in the north, in the urban and populated areas. For instance, we can find about 7,652 non-government organizations divided among the urban areas of Lower Egypt and mostly in Cairo and Giza while 7,502 non-government organizations operate in

Upper Egypt's rural areas. (Handoussa, 2008) In the same report, distribution of non-government organizations around Egypt was discussed. In table 2, we can notice the problem of geographic distribution of NGOs per governorates in Egypt. The poorest governorates have less number of NGOs than richest governorates which shows that urban areas are having high density of NGOs. This is can happened because the social capital in the north is higher than in the south. Social capital such as education, social welfare, better participation in social activities, is encouraging NGOs to operate in places with higher social capital.

Table 2 NGOs number per governorate

| # | Governorate Name | NGOs Number per Governorate | NGOs per 10,000 citizens | Population in 1,000 |
|----|------------------|-----------------------------|--------------------------|---------------------|
| 1 | Port Said | 212 | 4.00 | 529 |
| 2 | Cairo | 2788 | 3.65 | 7630 |
| 3 | Suez | 280 | 5.85 | 479 |
| 4 | Alexandria | 1467 | 3.91 | 3756 |
| 5 | Damietta | 252 | 2.39 | 1056 |
| 6 | Ismailia | 262 | 3.10 | 844 |
| 7 | Gharbia | 513 | 1.33 | 3859 |
| 8 | Aswan | 255 | 3.23 | 1099 |
| 9 | Qalyobia | 682 | 1.79 | 3804 |
| 10 | Giza | 1399 | 2.53 | 5536 |
| 11 | Dakahliya | 761 | 1.56 | 4893 |
| 12 | Moneoufia | 791 | 2.49 | 3171 |
| 13 | Sharkia | 1109 | 2.21 | 5010 |
| 14 | Kafr El-Sheikh | 262 | 0.74 | 3541 |
| 15 | Qena | 641 | 2.23 | 2877 |
| 16 | Beni Suef | 250 | 1.13 | 2208 |
| 17 | Menia | 976 | 1.04 | 9361 |
| 18 | Suhag | 469 | 1.26 | 3731 |
| 19 | Asyut | 456 | 1.36 | 3351 |
| 20 | Fayoum | 318 | 1.34 | 2372 |

(Source: Egyptian Human Development Report 2008, page 68)

Civil society organizations in Egypt are suffering from several challenges, mainly the legal restrictions, especially those resulting from Law 84 of 2002.

NGOs face large obstacles. For an NGO to be legal, it must be registered with the state. While some NGOs try to avoid registration, many find it nearly impossible to operate successfully without the government-issued NGO identification number. The Office of State Security also plays a large role in overseeing registration, but its role is extralegal and not provided for explicitly in the law. (McGann, 2008)

Additionally, some authors have argued that many Egyptian citizens do not participate actively in addressing social issues due to cultural and political heritage. A large number of civil society organizations members are intellectuals drawn from the elite groups in Egypt.

Muslims expressed lack of trust in the transparency of government bodies like the Ministry of Awqaf, responsible for overseeing wakf property, distributing zakat as well as other donations left in mosques (nuzur). For this reason, only 8 percent of Egyptian Muslims prefer to make their donations through a philanthropic institution...Lack of transparency and accountability are serious problems that will need to be addressed in order to restore trust in philanthropic organizations in Egypt. (Handoussa, 2008, p 64)

As a result, most of the NGOs are found in large cities while there are far fewer in rural areas. Another challenge facing civil society organization in Egypt is social mores and cultural traditions which may conflict with the activities of these organizations

The preponderance of traditional cultural and social mores is demonstrated in the dominance of philanthropic over development associations. Faith-based CSOs (Islamic and Christian) represent about 33 percent of the total number of associations with 10 percent representing Christian denominations. It also appears that philanthropic associations

that are based on affiliation to a faith are generally more active. (Handoussa, 2008, p 87 - 88)

2.3.2 Political environment and NGOs in Egypt

Egyptian civil society as a formal structure dates from the late nineteenth century. Three major stages for Egyptian civil society development can be identified. In the first stage, which started in the late 19th century, civil society consisted of philanthropic organizations and was run by the royal family members that ruled Egypt at that time. Before 1945, there was no law for civil society organizations. The first law for charities and social institutions code was issued in July 1945. The government issued this law to combine charities' and social institutions' efforts to provide humanitarian services for the society.

Political environment in Egypt under Nasser (1952-1970)

In the 1953-1970, during the presidency of Gamal Abdel Nasser, civil society was generally restricted. Nasser called for uniting Arab countries and he was against foreign intervention in Egyptian policies. Egypt in that time depended heavily on the public sector to provide services. Law 32 of 1964, the "Civic Association Code," gave the right to public officials to reject the formation of social organizations and to dissolve them. By this law, associations and NGOs were dissolved and registered again in the Ministry of Social Affairs (MOSA). "Law Number 32, which is also known as the Law of Associations, was issued in 1964, giving more power to the Ministry of Social Affairs and local government to control, license and regulate the work of various organizations" (Abdelrahman, 2004, p. 94) The government imposed an emergency law in 1967 during the war with Israel and,

with the exception of a one-and-one-half-year suspension of the state of emergency in 1980, the emergency law has remained in force ever since.

Political environment in Egypt under Sadat (1970-1981)

In the era of President Anwar Sadat, a new political system was implemented and conditional liberalization was given to political parties and associations. In other words, associations experience more freedom in the Sadat era than under Nasser. “This new margin of political liberalization also allowed interested groups, such as NGOs, to exercise more autonomy than they had under Nasser, on the condition that their activities did not challenge the basis of presidential authority” (Abdelrahman, 2004, p. 98)

After the assassination of President Sadat, the government imposed the emergency law again and the government has extended the law every three years. Under this law, the government has the power to stop every activity that could have a negatively effect on the security and stability of Egypt.

Political environment in Egypt (1982- 2010)

The third major stage for civil society started in the late 1970s and the 1980s, but may be regarded as beginning formally with the presidency of Hosny Mubarek. Because the government focused in this period on economic and democratic development, the government introduced reforms that enabled the civil society to participate in the development process. This stage witnessed different types of civil society organizations, such as charities, environmental groups, service providers, and human rights organizations.

The late 1970s and the 1980s witnessed a new discourse of economic and political liberalization. As this discourse and the policies from which it is derived from the background to the re-emerging debate on civil society and democracy and are the driving force behind the expansion and strengthening of the role of NGOs in the last two decades, it is important to scrutinize their main features. (Abdelrahman, 2004, p.105-106)

Although no new laws were issued for civil society organizations before 1998, the government removed restrictions on some political rights, such as the right to demonstrate against the relation with Israel and freedom of speech. The government called this development process “step-by-step democracy”. However, the government gave its officials the right to control over organizations that oppose the government’s policies. (Agati, 2007)

The Egyptian government issued Law 153 of 1999, which gave the government more control over NGOs. There was wide debate on this law, especially with respect to the Ministry’s alleged failure to take into consideration all NGOs members’ recommendations and international organizations advice to give more freedom to NGOs to work freely. “Ignoring all pleas from NGO activists and recommendations by donors agencies that restrictions on NGOs should be relaxed, Law 153 was even harsher than the long-criticised Law 32” (Abdelrahman, 2004, p. 131)

In 2002, Law 84 for civil society was issued. This law came as an amendment law for Law 153. Recently, drafts of a new government bill for civil society law have circulated and it is expected that this new law approved by the parliament in the next few months, although this remains uncertain at this time.

2.3.3 Law 84 of 2002

The government originated control over civil society organizations through previous laws. Compared to the previous law, Law 153 issued in 1999, the new law gives the government better control over NGOs.

According to Dr. Amani Kandil, there are positive and negative sides to Law 84 of 2002.

There exist in the Law some articles enhancing democratic practice inside civil organizations, such as Article 27 that enhances the necessity of holding a general meeting at least once per year, within four months following the end of the financial year of the civil organization. (Allam, 2003, p. 71)

Kandil identifies two positive aspects of Law 84, citing certain articles under this law that promote democracy within organizations by encouraging them to hold meetings to discuss crucial issues such as budgeting and the election of new boards members.

The new Law has simplified the process of registration and declaration of legal personality, which strengthens the individual's role in volunteer work. Secondly, the new Law has given the right to civil organizations to operate in all fields of activities without determining specific fields that are not included, such as the human rights activities or specific women's activities. In other words, the new Law has opened the door wide for advocacy activities. (Allam, 2003, p. 71)

In the same article, Kandil discusses some negative sides to Law 84 of 2002. She argues that this law undermines the vital role of civil society organizations in promoting development as a third sector since this law allows the government to

dissolve any organization. The need for approval to receive funding is another obstacle that the law has placed in the way of NGOs. Kandil explains that:

There certainly exist some positive features of Law 84 of 2002 concerning civil organizations. However, the Law has restricted the anticipated role of civil society as an effective third partner in economic and social development. It has also gone against the new global trends in laws governing nongovernmental organizations. Consequently, the civil organizations have lost some partial gains from Law 153 of 1999 judged as unconstitutional by the Constitutional Court.(Allam, 2003, p. 71)

According to the Human Development Report of 2008, Law 84 has pros and cons for civil society organizations such as exempting some organizations from certain tariffs, but this law gives the government more control over NGOs.

Many features of Law 84 of 2002 are constructive and supportive of CSO activities. Some aspects are praised, including the ability to found human rights organizations... However, controversy has risen on the perception that certain articles and clauses in Law 84/2002 increase state control over civil society organizations, are in violation of international covenants and agreements to which Egypt is party, and inconsistent with international legislation governing their freedoms. (Handoussa, 2008, pp. 91-92)

For instance, a case was published in the Egyptian Organization for Human Rights (EHOR) website shows that EHOR had received a letter from the Ministry of Social Solidarity warning that the organization could be subjected to dissolution because it has violated Law 84 of 2002.

Another case from 2007 shows how Egyptian NGOs are struggling with Law 84. In this instance, two registered NGOs were closed by the government.

2007 saw the enforced closure of two human rights NGOs, the Association for Human Rights and Legal Aid (AHRLA) and the Center for Trade Union and Worker Services (CTUWS). It was the first time in 25 years that a legally registered human rights organisation was shut down by the Egyptian authorities. AHRLA had been legally registered under Law 84, but began to get into serious trouble when it started working on torture cases, for it was very outspoken and filed torture cases against state security officers. (Handoussa, 2008, p 10)

It is noteworthy that both organizations went to the court, won their cases, and were able to reopen their organizations.

It was closed by an administrative decision in September 2007, but eventually won its appeal against the closure decision before the State Council in October 2007....The CTUWS had been closed by the Ministry in March 2007 over its role in the massive workers' strikes in the delta region in Upper [sic] Egypt. (Handoussa, 2008, p 11)

To address the research question, six criteria have been identified that capture basic aspects of the relationship governments and NGOs. These criteria have been derived from Law 84. They include the following: registration, funding, activities, dissolution, governance, and penalties.

1- Registration:

Registration is not required for NGOs in many countries but in Egypt the registration is compulsory for non-government organizations. In fact, the registration process under Law 84 of 2002 is considered a major barrier for non-government organizations to register under the Law of Association. One scholar described this registration process as a “The registration process with the Ministry of Social Solidarity is arbitrary and tiresome” (Kausch, 2009, p.9)

Because of this registration process, some NGOs struggled for years in the registration stage.

Human Rights Watch obtained data on the experience of thirty Egyptian NGOs, including twenty-two human rights organizations, under the new law. Seven had successfully registered; one (the New Woman Foundation) had been able to do so only after a long legal and bureaucratic battle. Five groups were litigating MISA decisions rejecting their applications, or were seeking enforcement of favorable court judgments. (Sissons, 2005, p. 16)

To avoid this obstacle, some non-government organizations have registered as non-profit companies and branches for foreign companies or as research centers. But, other non-government organizations accepted the burden of one year struggling to be registered to have a legal form and to avoid problems with the authority if an NGO is working illegal.

In one case, the Aswan-based Health and Environmental Development Foundation, the government ordered its board dissolved in late 2004, but the group successfully appealed to the dispute resolution committee to overturn the order. All other organizations were using alternative legal structures, including registering themselves as local branches of international NGOs. (Sissons, 2005, p. 16)

One of the major issues that non-government organizations are facing in the registration stage is obtaining the approval letter.

The administrative body shall be under obligation to enter a summary statement of the association's statute into the relevant register within sixty days from the date of submission by the founder's assembly representative of a registration application. Should sixty days elapse without being made, registration shall be deemed effective under the law. (Non Governmental Organizations, 2003)

According to Law 84 of 2002, NGOs should send a notification to the Ministry of Social Solidarity and wait for the ministry's approval. The Ministry has sixty days after receiving the NGO notification to reply. If the Ministry does not reply during the sixty days, this constitutes an approval from the Ministry. However, the lack of an explicit Ministry' approval or response makes NGOs that have followed the procedure to be illegal; they do not have any legal papers to prove they are working legally. This creates problems for several NGOs because, lacking formal legal approval, they face difficulties in receiving funds from domestic and international donors.

2- Funding:

Egyptian NGOs need to have previous approval from the Ministry of Social Solidarity to get foreign funds. Some NGOs are suffering from not getting the authorization to receive foreign funds especially NGOs that are working in the political field. Because domestic and private funds are insignificant and NGOs also need to have previous approval, some non-government organizations try to use illegal foreign funds and this exposes both the NGO's existence and its members to great risk. Additionally, according to this law, there is no clear procedure for what happens when there is no response to an NGO's request for foreign funds. (Kausch, 2009)

The Law 84 of 2002 discussed the funding part in Article 17:

The association has the right to accept contributions. It may collect contributions from natural or juridical persons and in such a manner as may

be set forth by the executive regulations. In all cases, no association shall have the right to obtain money from abroad either from an Egyptian or foreign persons or a foreign body or its local representatives.
(Non Governmental Organizations, 2003)

An NGO should wait until it gets an answer from the authority and until that time the funds will be frozen. Some NGOs did not get a response for their requests and this puts them in an unclear situation because they do not know if their request has been rejected, and if so for what reason. The authorities can reject their request and easily bar any foreign funds without issuing any legal documents.

3- Activities:

In Law 84 of 2002, article 11 discusses the range of activities that an NGO can entitle to.

Associations seek to implement their purposes in various community development domains according to the rules and procedures set forth by the executive regulations. Subject to the opinion of the competent federation and approval of the administrative body, an association may operate in more than one field. Secret associations shall be banned. Associations shall not be allowed to conduct any of the following purposes or activities:

1. Form military or Para-military formations or detachments.
2. Threaten national unity, violate public order or morality or advocate discrimination against citizens, an account of sex, origin, color, language, religion or creed.
3. Practice any political or trade union activity exclusively restricted to political parties and trade unions.
4. Seek profit or practice any profit-oriented activity. However, adopting commercial controls to generate such income that contributes to the

realization of the association's purposes shall not be considered a contravening activity. (Non Governmental Organizations, 2003)

It obvious that the law narrowed the scope for NGOs' activities by reducing the number of activites that can NGOs engage in, and eliminating some areas entirely, such as political and unionist activities. If an NGO wants to expand its activities or expand its geographical scope, previous permission from the Ministry of Social Solidarity is required. In addition, NGOs under this law are not able to affilate or cooprate with foreign organizations.

4- Dissolution:

Law 84 of 2002 discusses the dissolution of NGOs in articles 41-47. For instance, in article 42, it states seven main reasons for an NGO's dissolution. For example, an NGO can be dissolved for spending its funds on activities not related to its objectives, receiving foreign funds without permission or joining with an association or club outside Egypt.

The association may be dissolved by virtue of a ruling of the competent court, at the request of the administrative body under the usual proceedings to file lawsuits, in the following cases:

1. Disposal of its funds or appropriation for purposes other than those designated.
2. Obtaining funds from sending funds to a foreign party, in contravention to provision of the second paragraph of Article 16 hereof.

3. Committing a gross violation of law or the public order or morality.
4. Failure to hold the general assembly for two years consecutively or failure to convene the assembly upon invitation in application of the provision of the second paragraph of Article 40 hereof.
5. Joining membership or affiliation to a club or society or authority or organization domiciled outside the Arab Republic of Egypt, in violation of the provision of Article 16 hereof.
6. Existence of proof that its real purposes are to target or practice an activity prohibited under Article 11 hereof.
7. Collecting contributions in violation of the provisions of the first paragraph of article 17 hereof whenever so requested, the competent court, may issue an express injunction within maximum three days, to stop the activity in violation pending settlement of the subject matter of the dissolution request. (Non Governmental Organizations, 2003)

The Ministry of Social Solidarity can take the decision of dissolution without any needs for court action, which is against the international human rights standards. “Law 84 allows the dissolution of NGOs by administrative order. Under international human rights standards, a court ruling would be required to dissolve an NGO.” (Kausch, 2009, p.10)

This law provides for easy dissolution by the Ministry of NGOs that provoke political or human rights issues, as shown in the example given previously.

5- Governance:

The Law 84 of 2002 gives the government the right to accept or reject any person who is competing for an NGO’s board election and it can appoint board members.

Human Rights Watch obtained information on two cases in which individuals were blocked from participating in board elections; one a human rights and development group, the other the Islamic Way, a charitable organization based in Cairo. Human Rights Watch was told of

some nine cases in which the government has compulsorily dissolved NGOs, all of them outside of Cairo. (Sissons, 2005, p 38)

The government should be provided with the names of candidates for board election before sixty days form the election. Under this law, the government has the power to reject any candidate. If the rejected candidate did not withdraw from the election, the government has the right to stop this election until the court gives its decision about this candidate, a process that takes a long time.

The BOD shall have in display at the association's headquarters on the day following closing date for candidature, a list of candidates, names. The administrative body shall be notified with the list within the following three days, sixty days prior to the date of elections. The administrative body as well as any party concerned may notify the association with those deemed to be excluded due to failure to satisfy candidature conditions. (Non Governmental Orgnizations, 2003)

6- Penalties:

This law has extenive penalties for several different connditions. In article 75 of Law 84 of 2002, the prison sentences are divided into three sections. One of these penalties is prison sentences for NGO members who violate the law. "He who establishes a clandestine association or practices any of the activities provided for in items 1, 2, 3 of Article 11 hereof shall be penalized with imprisonment for a period not more than one year and a fine of no more than LE 10,000." (Non Governmental Orgnizations, 2003)

Conducting secert or illegal activities could be punished by one year in prison with a fine of 10,000 Egyptian pounds.

Article 75 describes the sentence

A penalty of imprisonment for a period not more than six months and a fine of no more than LE 2000 shall be inflicted on those who have:

1. Established an entity under any title whatsoever to practice an activity of associations and NGO's, without abiding by the provisions prescribed by this law.
2. Practiced an activity of associations and NGO's in spite of the issuance of a ruling or decision suspending or dissolving some.
3. Received, in his capacity as a chairman or member of an association or NGO, no matter whether such capacity is valid or alleged, funds from abroad or send out abroad any of such funds or collect contributions without the approval of the administrative body.
4. Expended money owned to associations and NGO's or the federation for personal purposes or use such money in financial manipulations.
5. Disposed of funds owed to such an association or NGO that has been adjudged as dissolved or liquidated or issued a decision to this effect with an order in writing by the liquidator. (Non Governmental Organizations, 2003)

In addition, a six-months prison sentence is imposed for running activities under another legal form than registered in the Ministry.

A penalty of imprisonment for a period of no more than three months and a fine of no more than LE 1000 or either penalty shall be inflicted in any of the following cases:

1. He who practices one of the activities of associations and NGO's before its registration has been completed, save for foundation procedures.
2. Any member of the board of directors or managers of an association or NGO, who contributes, through action on his part, to its access, participation or affiliation to a club, association, organization or authority domiciled outside the Arab Republic of Egypt without notification to or not withstanding protest by the administrative body.
3. Any liquidator who has distributed funds owed to an association or NGO in violation of the provisions of this law.
4. Any member of the board of directors of a public welfare association,

who has contributed, through an action on his part, to the merger of the association into another, without approval of the administrative body. (Non Governmental Organizations, 2003)

2.4 New Egyptian NGOs bill

Recently press reports indicate that government has decided to issue a new NGO law. Based on press reports, the new law is expected to take the form of an amendment to Law 84 of 2002. The government reportedly prepared the bill without discussing it with NGOs and the government is expected to send the bill to the Parliament for approval in the next few months. Several non-government organizations have expressed their concerns and fears about this new law. Some NGOs have formed a coalition. This coalition is sending out warnings about this new bill because the government is rushing to issue this new law. The coalition believes that this new law will give more power for the government to shut down unregistered NGOs and curtail registered NGOs' activities.

The NGO coalition warns that the government is rushing a bill which would "limit the activities of human rights organizations or shut them down completely by criminalizing all forms of unregistered civic organization... [with] ramifications for some of the most important political reform movements (such as the National Association for Change, Kifaya, April 6th Youth and others)." It warns that the bill would establish "unprecedented control over civil society worse than the crackdown that followed the July 1952 revolution which nationalized political, partisan, syndicate and civic action." (Amrani, 2010)

Egyptian NGOs were able to obtain a leaked copy of this new law. NGOs believe that the bill will strangle civil society organizations in Egypt because this new law is more restrictive and severe than Law 84.

The undersigned non-governmental organisations wish to express their extreme dismay at recent news that the Ministry of Social

Solidarity has completed a draft for a new NGO law. According to the latest leaked copy, the bill is more restrictive and draconian than the repressive bill already in place. (Ibn Khaldun Center for Development Studies, 2010)

Sixty-two Egyptian NGOs started a campaign for the freedom to associate because they believe that the new law gives more control to the government over NGOs. This bill creates a new body called the General Federation, to which all who seek to establish an NGO should submit their NGO's papers to get its approval before submitting the paper to the Ministry. It constitutes a new barrier to NGO formation and a new tool for the government to increase control on NGOs.

The bill establishes the General Federation and the regional federations as a false civic front through which various arbitrary interventions can be taken against civic action by the government's administrative body and behind it the security services. Those seeking to establish NGOs under this bill must submit their papers to the appropriate regional federation for approval before being referred to the administrative body, which, after consulting with the security apparatus, can refuse to register the NGO. (Ibn Khaldun Center for Development Studies, 2010)

According to this bill, NGOs are not allowed to have more than two fields of activities. NGOs should take the legal form of associations. NGOs that have other legal forms, such as civil companies, are not allowed to participate in any civil society activities.

The bill strictly bans all NGOs that take legal forms other than associations, such as civil companies, although Egyptian civil law allows such formations; the Minister of Social Solidarity has the right to suspend the activities of NGOs that do not comply. (Ibn Khaldun Center for Development Studies, 2010)

A member of General Federation argued that there is no new law for NGOs and I did not see any bill, he added. NGOs should have federation for each type of NGOs like federation for all human rights NGOs. Such federation will organize NGOs' effort and will enhance their performance in developing the society, he said

Chapter Three

Methodology

Methodology

3.1 Introduction

There are several criteria that have been adopted in order to answer the research question. A large number of organizations mentioned these criteria as crucial elements that should be provided by the government to facilitate NGOs' work, such as The United Nations Development Program and FRIDE foundation in some reports discussing this issue.

Through the formulation of these criteria into several questions, a survey has been developed for distribution to a designed sample of NGOs, chosen to reflect two of the main types of Egyptian NGOs, those working on human rights and political issues and those working in the area of social services. The questionnaire used to assess the impact of this law on both types of non-government organizations in Egypt.

3.2 Population Frame

This research focused only on non-government organizations in Egypt that participate in the development process. The population of this research will include several types of non-government organizations such as human rights, political, social, and educational.

In this study, ten in-depth interviews were conducted with five human rights and five educational and services NGOs. Some colleagues provided me with some NGOs contacts and other NGOs contact were taken from the Internet. There was a difficulty to communicate with some NGOs via email because a large number of

NGOs did not answer emails; for example, I emailed more than (170) non-government organizations and many of them did not reply. Therefore, telephone calls were the effective means to reach NGOs members and to set time for the interviews. However, some members were saying they want to have an interview but in further calls to set the time, they did not answer their phones. Only ten interviews and ten questionnaires were conducted by the researcher because of time limitations and the difficulty to find NGOs participants. Questionnaires were filled out after the interviews by NGOs members.

The ten interviews were finished in two weeks in different places in Cairo, such as Maadi, Heliopolis, Mohandisin, and Garden City. The average time for each interview was one and half hour. All interviews with NGOs were fruitful and they were very helpful. For instance, one of the educational NGO took in a visit to their education center and showed me what services they are providing for slum children.

The interview questions are:

- 1- Why, in your opinion, did the Government issue Law 84? Did you hear about the new draft of NGOs law? What do think about this bill?
- 2- After 2002, did organizations like yours face problems during the registration stage? Do you know any organization that received a letter threatening dissolution or was in fact dissolved? How do the procedures for registration and dissolution affect your ability to operate?
- 3- How do the approval and oversight procedures affect NGO selection of activities or design of programs? Do you feel that NGOs like yours are restricted in the types of activities they can carry out and, if so, how?

- 4- What are the most important funding resources for NGOs like yours? How has the legal environment affected funding levels or strategies? How has access to foreign funds been affected and to what extent is this problem for NGOs?
- 5- Have organizations like yours experienced any penalties or punishments from the government? Are you aware of cases where organizations paid financial penalties, for example? How do such penalties affect NGO operations?

3.3 Limitations

In addition to the difficulty experienced in organizing focus groups for NGOs to discuss the current law, , a number of experts and NGO practitioners emphasized the sensitivity of regulatory issues given the proposed new law. For example, one NGO representative was asked why this individual thought that NGOs were hesitant to participate in the focus group. The member answered that there is a tension between the government and non-government organizations because the bill and maybe NGOs are not willing to discuss this issue at this time. In a seminar discussing the role of the General Federation, one of the General Federation members stated that the situation these days is very sensitive and this is because the political transformational period in Egypt.

Another limitation is that NGOs do not answer emails regularly. I sent many emails to NGOs and only a very few answered back. I attached the questionnaire to emails sent to NGOs and no one answered it. The Social Research Center and the Gerhart

Center in the American University both helped me by sending the questionnaire via email to NGO contacts and providing lists of NGOs. Only one response was received using this approach. It was clear that NGOs are not comfortable with email communication on this issue, at least. Consequently, the researcher shifted to in-person interviews, which limited the number of interviews that could be collected in the time available.

Chapter Four

Data findings and Analysis

4.1 Introduction

In this chapter, I will explore and analysis the data that have been collected by questionnaire and interview with NGOs, Human rights, Educational, Services, and developmental. Ten questionnaires and ten interviews were conducted with several non-government organizations in Cairo. In data analysis, some graphs will be used to demonstrate data collected by questionnaire and data collected by personal interviews will be discussed in this chapter. In data limitations, difficulties and obstacles will be explored.

4.2 Findings and Analysis

In this section, data collected through questionnaire and personal interviews will be categorized according to the criterion that belongs for it.

1- Registration:

In the questionnaire, there are three questions targeting this issue. These questions focused on difficulties in registration stage, approval letter, and opening new branch for NGOs

| | Q.5 Did your organization experience any obstacles in the registration stage? | | Q.6 Have your organization received an approval letter from the Ministry during the registration process? | | Q.7 Are there any difficulties for your organization to open new office or branch at any governorates in Egypt? | |
|------------------------|---|----|---|----|---|----|
| NGOs Type | Yes | No | Yes | No | Yes | No |
| Human Rights | 5 | 0 | 5 | 0 | 1 | 3 |
| Educational & Services | 2 | 3 | 5 | 0 | 1 | 3 |
| Total | 7 | 3 | 10 | 0 | 2 | 6 |

According to questions five, six, and seven in the questionnaire, more than the half of NGOs that answered the questionnaire said they faced difficulties in the registration. All of them received an approval letter from the Ministry. Only one said that his organization faced a problem in opening new branch.

In the interviews, all NGOs agreed that there are difficulties in registration stage, such as routine, corruption, long time waiting for officials' responds. Some non-government organizations showed how they suffered during the registration. For example, in interview with a member of human right NGO, she said one of the most important problems in this law is registration because many NGOs are spending long time waiting for Ministry approval in order to be legal and to start working. She mentioned that her organization spent less than one year waiting for the Ministry approval. No one can start working without having this approval because donors will not give you funds unless you have the Ministry approval and all NGOs that I know are having this approval, she added. Another interview with a member of human right NGO, he illustrated the difficulties that faced his organization in registration

stage. He explained that his organization sent all required papers to the Ministry in 2004 and after six months we received a letter from the Ministry to modify our executive list. After we did the changes, the Ministry refused to receive our papers again. Therefore, we sent our papers to the Ministry through the court. After four month from receiving our papers, the Ministry sent a refusal letter to our organization. In 2005, we filed a lawsuit against the Ministry and the court did not take action in our case until now. We are working now as a law Company.

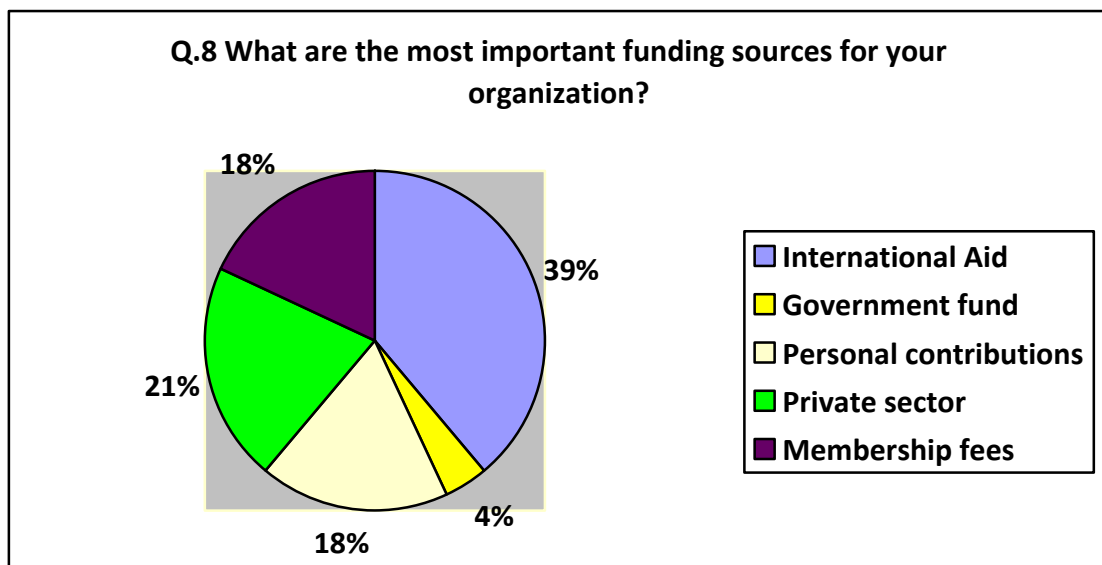
On the other hand, other non-government organizations said that they did not face real problems during the registration. For instance, a member of educational and services NGO mentioned that we did not have any problem in the registration stage, but waiting for sixty days for Ministry approval, sometimes the Ministry refused, is annoying and I think it is causing many problems for other NGOs. Another senior member of educational and services NGO said that his organization did not face problem during registration process. However, in some cases there is delay in registration stage for some NGOs and this delay happens according to the type of the NGO.

In another interview with a member of educational and services NGO, she said that we started our activities without approval letter. We submitted our papers to the Ministry and immediately we started to deliver our services. After five months, we received the Ministry approval. We have the approval letter quickly because some connections that we know helped us in this issue and our organization is targeting poor people in a slum, she explained.

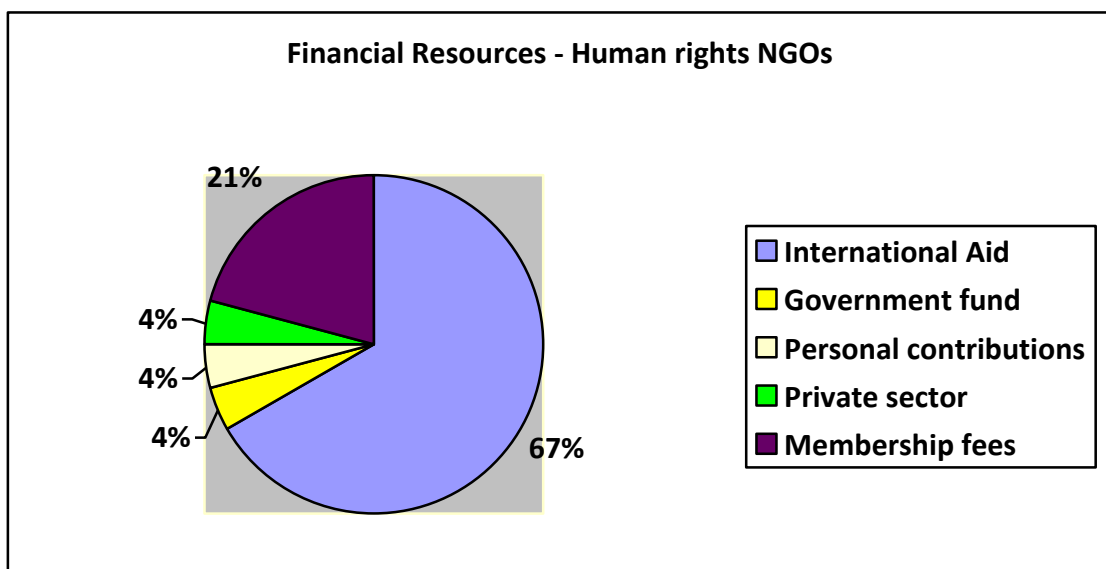
All of the NGOs members said that it is difficult to work without the approval letter. Donors will not give us fund if we do not have an approval letter from the Ministry. In addition, they all agreed that they can open branches but they make it related to the main office, which means it is connected with main office in its activities and financial budget. If they want to open a branch that can work alone and not connected to the main office, they need to start a new registration process and this will take long time with the routine and sophisticated procedures.

2- Funding:

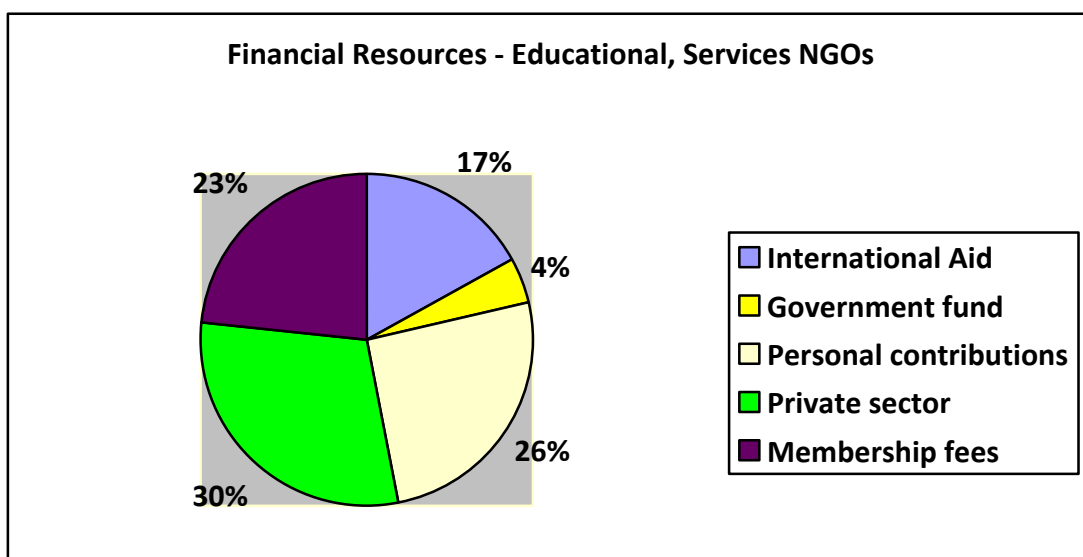
Questions eight, nine, and ten in the questionnaire focused on the funding. On question eight, in total result of responds, the first and most important financial resource is international aid and private sector is the second.



Most human rights NGOs said that the essential financial resource is foreign fund. They said we do not have other financial resources like private sector or personal contributions. This is because they believe some people think such NGOs are carrying out foreign agendas. While other educational, services, and charities NGOs are relying on more than one financial resource, such as private sector, personal contributions, and membership fees.



In an interview with a member of educational and services NGO, we rely on personal contributions and private sector funds and this is enough for us to achieve our current goals, she said.



We have an oil company supports us financially to provide some educational programs and health services for slums. Another member of developmental and educational NGO believes that foreign fund comes with sufficient amount of money but not continuous, while private sector and personal contributions funds come regularly but in small amount.

| NGOs Type | Q.9 Do you know any organization that faced difficulties to have foreign fund? | | Q.10 How much time does your organization need to get government approval in case of getting funds from foreign donors? | |
|------------------------|--|----|---|---------------|
| | Yes | No | Long time | Adequate time |
| Human Rights | 5 | 2 | 4 | 1 |
| Educational & Services | 3 | 0 | 3 | 1 |
| Total | 8 | 2 | 7 | 2 |

A member of human right NGO thinks that there is a relation between the fund's amount and the Ministry approval. The more the fund is big, the longer time the

approval will take, she added. However, not all of interviewed agree with this relation but they think the Ministry will refuse fund because the activity, not for the amount. In addition, there are unclear instructions for accepting or refusing foreign funds. The Ministry takes arbitrary decisions about foreign funds. NGOs members think the society lacks the idea of giving funds for non-government organizations especially political and human rights ones. This is because the unpleasant image for these NGOs that the government, to some extent the media, and some corrupted NGOs participated in creating this reputation, they said. Another member of educational NGO claimed that her organization prefer to have private sector funds and personal contributions than foreign fund because they think foreign fund will create problems with the Ministry.

An interview with an executive manger of human right NGO, he argue that refusing and cutting funds for NGOs is like a weapon used by the Ministry against some NGOs to delay its activities or to make NGOs unable to pay for its employees and this will lead to close these NGOs. At the same time, NGOs that have good connections with the Ministry can get funds easily and without any delays, he added.

In a seminar about the General Federation held in May 2010 at one of human rights NGOs, a member of human rights NGOs said that her organization sent papers of seven projects and we waited for six months to get the Ministry approval, but the Ministry refused six of the seven projects. We had the same projects before and the Ministry approved but now it refused them as a punishment for our organization. This is because our organization had some activities that the Ministry did not like lately. No clear reasons from the Ministry for the refusal were stated, she added.

There is a clear difference on the financial resources that human rights and educational and services NGOs reliance on. Human rights NGOs rely primarily on foreign fund because these NGOs are carrying political and human rights activities and neither the private sector nor the people will pay for such activities. Therefore, these NGOs have to look for fund from outside Egypt. There are foreign NGOs are interested in promoting democracy and human rights in the region and they providing funds for political and human rights NGOs in Egypt.

3- Activities:

The first three questions in the questionnaire were targeting NGOs activities. In the registration stage, NGOs chose the activities areas that NGOs want to work in. If an NGO want to work in human rights, it should choose in which area of human rights. When the NGO want to start working in the chosen area, it should send its project papers to the Ministry to get the approval for this activity. After long time, the Ministry will decide to approve or not.

| NGOs Type | Q.1 Do you know any organization that faced difficulties to expand its field of activities? | | Q.2 Can your organization or any organization you know participate in different types of activities? | | Q.3 A detailed report about organization's activities should be submitted to the Ministry. Many organizations consider this report as a burden? Do you agree? | |
|------------------------|---|----|--|----|---|----|
| | Yes | No | Yes | No | Yes | No |
| Human Rights | 5 | 0 | 5 | 0 | 4 | 1 |
| Educational & Services | 2 | 3 | 5 | 0 | 2 | 3 |
| Total | 7 | 3 | 10 | 0 | 6 | 4 |

In the question one, it was clear that human rights and some services NGOs are facing obstacles in getting the Ministry approval for its activities. They said that our projects and activities delayed for months because the Ministry approval and this lead to have problems, such as late work schedule and late salaries for employees. Through the interviews, almost all NGOs members agreed that the Ministry takes a long time for issuing the approval. An executive manager of human rights NGO said that we can choose any area of activity but the problem is when we want to do an activity or a project, we should have the Ministry approval first. The Ministry does not cooperate with us and when I discussed about this approval with the Ministry's employees and told them this is not mentioned in the law, they replied we have instructions to do this, he added.

In the question three, some NGOs think that the detailed report about its activities is a burden. A member of NGO said we are sending papers before the project and waiting for the Ministry approval and in the end of the activity we need to send a detailed report to the Ministry. This report is consuming time and effort of our employees to prepare such report for each activity that took place in our organization. Other NGO think they should write this report because it is a tool of monitoring on NGOs. All NGOs said that when the Ministry refuses any activity, we do not find out what is the reason behind the Ministry refusal. Some NGOs members think it is not about the Ministry only but it is about the security check.

4- Dissolution

A member of human right NGO stated that the lack of trust between the Ministry and NGOs is the real problem. The Ministry believes that NGOs are

adopting foreign agendas and leaking information about some critical situations happening inside Egypt to other foreign NGOs. Not only that, but in addition the government is reported to fear that NGOs are trying to make difficulties to the government by educating citizens about human rights and about what should the government provide for them.

| Q.13 Have many organizations you know faced threat or warning of dissolution? If yes, how many and what are the reasons? | | |
|--|-----|----|
| NGOs Type | Yes | No |
| Human Rights | 5 | 0 |
| Educational & Services | 1 | 4 |
| Total | 6 | 4 |

Most Interviewed NGOs did not face warning of dissolution. They know some NGOs that faced this threaten and some of them were closed by the Ministry. This is because these NGOs break the rules and leak news about some domestic issue in Egypt to the world. Most dissolution happened because of political reasons, a member of human right added.

There are some political NGOs that have “anti-government programs” and the Ministry tries to hinder these activities. Hence, some NGOs’ dissolution has happened for political reasons, a member of an educational NGO said.

Another member of an educational NGO said that they know some NGOs were closed because they have financial and legal violations and in some cases there were big cases of corruption; therefore, the Ministry closed these NGOs because they

break the law. In addition, a member of an educational NGO said there are some fake non-government organization that are receiving international fund or from inside and they did not do any projects or services for the community. In this case, dissolution is the way to stop such NGOs. Some NGOs members heard about some dissolution cases through NGOs report or by “Al-Waqae'a Al-Masreya”, a newspaper issued by the government.

5- Governance

No one of the interviewed NGOs had experience with the intervention of the Ministry in the NGO’s board elections. Some of them know other NGOs had experience that the Ministry did not accept some people to stand for board elections.

| Q.14 Did you hear that the Ministry rejects any of organization’s candidates? | | |
|---|-----|----|
| NGOs Type | Yes | No |
| Human Rights | 4 | 1 |
| Educational & Services | 2 | 3 |
| Total | 6 | 4 |

They said that the Ministry did not give a clear reason for refusing these people, but some leaks showed that the Ministry refusal was for security reasons. They added, nobody can predict whom the Ministry will except or refuse; only the Ministry can say.

It was clear from the response in the interviews that most educational, services, and charities NGOs are not considering this as a problem, while human rights NGOs are suffering from this issue because they believe that the Ministry focuses more on political and human rights NGOs activities than other NGOs.

6- Penalties

In the questionnaire, questions eleven and twelve focus on penalties. Question eleven is targeting the type of penalties such as financial penalties, legal penalties, and other types of penalties. All NGOs agreed that there are no financial penalties on NGOs. This is because the Ministry knows that NGOs are poor and not able to pay for financial penalties. Therefore, most answers were between legal penalties and other types of penalties like closing activities or projects and not providing approval for doing some activities.

| | Q.11 Has any organization you know ever experienced any of the following punishments or been threatened or warned of the possibility of such punishment? | | Q.12 Did you hear that any member of an organization you know experienced or been warned about the possibility of a prison punishment? | |
|------------------------|--|-------|--|----|
| NGOs Type | Legal Penalties | Other | Yes | No |
| Human Rights | 4 | 1 | 1 | 4 |
| Educational & Services | 0 | 1 | 1 | 4 |
| Total | 4 | 2 | 2 | 8 |

A member of human rights NGO stated that the Ministry did not impose financial penalties but there are legal and other types of penalties. The common penalties for NGOs are closing projects even if the NGO has the Ministry approval for this

project. This happened when the activities of the closed projects do not match the activities in the approved papers of the project. The Ministry sometimes closed NGOs as a punishment for some projects or activities. There are examples of such issues and most of the closed NGOs went to the court and they reopen their NGOs again. An Interviewee further commented that she had not heard that the Ministry punishes NGOs employees.

No one of the interviewed NGOs members experienced the possibility or threatens of prison punishment. However, a member of NGOs said that most of NGOs members are worried from getting a punishment from the Ministry.

4.3 Discussion

In interviews, all the NGOs members believe that there are difficulties and barriers in the registration stage and these difficulties differ according to type of the NGOs. The most important problems that hinder NGOs to work effectively are registration stage, foreign fund, and limited activities. They think there is connection between NGO's activities and time needed for receiving Ministry approval. All interviewed members agreed that the sixty-day period is a long time to have the Ministry approval and procedures in the registration stage are annoying. Human rights and political NGOs need more time than educational and services NGOs to have an approval letter, they added. Not only that, but a member of human rights NGO said some employees in the government do not like us and they think that we are spies because we are ruining our country's reputation.

All the NGOs members believe that there are some obstacles to receive foreign funds. These difficulties, such as taking a long time to have approval and waiting for security checks are common for several NGOs. Although some NGOs prefer private sector funds and personal contributions, the foreign fund, in fact, is important for all NGOs because it comes with sufficient amounts that can help NGOs to conduct ambitious projects and activities to serve large number of people. The time needed to approve foreign fund is too long and all believe this is impractical because this will lead to delay NGOs from doing its activities. Another problem facing NGOs is the Ministry approval for projects and activities. NGOs should send their activities papers to the Ministry and wait for the approval. This usually takes a long time and most of time after waiting for long time the refusal could be the answer. Refusing activities means that NGOs will lose the fund of these activities and NGOs need to change its work plan. Some NGOs have volunteers to help NGOs in some activities, but they cannot stay for months just waiting for the Ministry approval. All these are difficulties that NGOs facing to conduct its activities.

According to question four in the questionnaire, NGOs answered that there are facing several difficulties currently. Financial problems came first. This shows that funding is an important problem for several NGOs. The second answer was other problems and some described other as security and human resources. Some NGOs are suffering from the security because they believe the police will arrest them. Human resource is another problem because NGOs are not paying sufficient salaries for employees and some of them will leave the work if they find a better job opportunity.

| Q.4 What the problems that your organization or others you know are facing recently? | | | | |
|--|--------------------|----------------|--------------------|--------|
| NGOs Type | Financial Problems | Legal Problems | Limited Activities | Others |
| Human Rights | 2 | 1 | 0 | 4 |
| Educational & Services | 3 | 1 | 1 | 1 |
| Total | 5 | 2 | 1 | 5 |

One NGO member said that she did not have a fixed salary. She has a contract and the salary is mentioned but the organization will not usually pay the same salary. This is because the organization does not have stable financial resources. Sometimes her manager comes to her and tells her that the salary will be this amount for this month, she added. In other words, the lack of stable financial resource is creating an essential problem for NGOs because maybe the skilled and professional employees will leave the work. NGOs sometimes depend on volunteers to do some activities and they need time and effort to train them to do the work.

The Ministry approval for each activity is an important problem that NGOs are suffering from, as noted previously. All interview NGOs members agreed on this issue. They said this is not only delaying our work, but it also gives us a sense that we are government agencies. A member of NGOs asked rhetorically why NGOs do not have rights like companies in private sector.

Dissolution, governance, and penalties are important but not like the first three problems. NGOs members said only the court should have the right to dissolve or to penalize NGOs, not the Ministry. They said the Egyptian constitution gives people the right to open an organization. In the event of intervention of the Ministry, they

think that the Ministry should provide them with clear reasons for refusing people in board elections.

In question fifteen in the questionnaire, several NGOs members gave some opinion and suggestions to change the current law. Several NGOs members agreed on making modifications on the law, such as registration stage, and foreign fund. They also asked for more freedom of choosing board members because this current law is not applicable for NGOs because it gives the Ministry the right to intervene at any time. Others believe that NGOs registration should be by sending notification to the Ministry and dissolution should be done through the court.

Several NGOs member said that the Media is not helping them. The Media is not interested in their work and sometimes they aired few NGOs activities. They blame the Media for neglecting NGOs. Some NGOs tried to knock on the Media's door but the response was not encouraging, they added.

NGOs are working individually. They need to collaborate and unify their efforts to create a social movement to both bring attention for some important issues in the community and create collective action to solve some crucial issues. In fact, NGOs must work together and have compatible visions to have strong impact on the society. If we throw a stone in the lake, we can notice the bigger the stone is the wider waves will be created. Here you can imagine that the lake is the society and the impact of NGOs as the waves that created by the stone and the stone is the work of NGOs inside the society. Therefore, collective action is essential for Egyptian NGOs. What is needed is to have federations or groups of NGOs in order to create

strong, significant activities and projects to participate effectively in the development process.

4.4 Conclusion

In order to have effective NGOs law, the Ministry should start to discuss the current law with NGOs. The Ministry need to know what are the difficulties that facing NGOs. This discussion should not be only for making new law, but should be regular to know what the new issues are. Actually, there are several intellectuals and educated people working in NGOs and they are able to create law draft that can assist NGOs to thrive. Most NGOs members want to have registrations done by sending notifications to the Ministry, to limit dissolution to those ordered by the court, and to remove most of penalties on NGOs.

The Ministry should collaborate and create better communication with these people in order to have new, strong relationship between the Ministry and non-government organizations. The Ministry should eliminate bureaucracy and provide more freedom to NGOs to work freely. Both the government and civil society should work to educate people about civic engagement. The government should consider civil engagement in the education for schools and universities in order to promote this concept and help people to participate in the correct way in developing the community.

In this study, several kinds of NGOs were interviewed, five human rights NGOs and five educational and services NGOs. Ten questionnaires collected from different types of NGOs. The aim of interviews and questionnaire was to have detailed

information about the legal restrictions that are facing NGOs. Some difficulties appeared while collecting information. A large number of NGOs were reluctant to participate in focus group. However, others were eager to conduct interview and fill the questionnaire.

Through the findings, it can be seen that many NGOs have difficulties such as financial, legal, and other to achieve their goals and they are striving to work for the community. The Ministry did not have strong communication with NGOs and it does not listen to NGOs complaints about the current law and the bureaucracy of the Ministry procedures. There was some suggestion from NGOs member to the Ministry to make some modifications on the current law.

Finally, although NGOs are able to deal with the current law, non-government organizations are facing several problems to achieve their goals and to conduct their activities. NGOs should work together to create pressure on the Ministry to change the current law. The Ministry needs to listen to NGOs demands in order to be able to make law that can help NGOs to work effectively and let them prosper and be able to provide better services for the society. The Media has an essential rule to shed a light on the NGOs achievement especially in slums areas and enhance the image of Egyptian NGOs.

Although a member of General Federation stated that the government will not make a positive change in NGO law until the political transition period end peacefully, a collective action from NGOs and the Media is required to enhance the role of non-governments organizations and make them more effective and successful in alleviating problems that are facing the society. NGOs had a good example of

collective action like campaign for the freedom to associate. They should think seriously on gathering a large number of NGOs in Egypt in order to make pressure on the government to listen to NGOs' demands.

Appendix A

Questionnaire

Position in NGO:

NGO Sector (-----Political, ----- human rights, ----- services, -----charities, ----- other)

Years established:

1- Do you know any organization that faced difficulties to expand its field of activities?

() Yes () No

what are these difficulties

.....

.....

2- Can your organization or any organization you know participate in different types of activities

() Yes () No

If No, why

.....

.....

3- According to the law, a detailed report about organization's activities should be submitted to the Ministry. Many organizations consider this report as a burden? Do you agree?

() No () Yes

If yes, why

.....

.....

4- What the problems that your organization or others you know are facing recently?

() Financial problems () Legal problems () Limited activities

() others:

5- Did your organization experience any obstacles in the registration stage?

() No () Yes,

what are they

.....

.....

6- During registration stage, sometimes the ministry does not provide NGOs with approval letter. Have your organization received an approval letter from Ministry of Social Solidarity during the registration process?

() No () Yes

7- Are there any difficulties for your organization to open new office or branch at any governorates in Egypt?

() No () Yes,

what are the difficulties

.....

.....

8- What are the most important funding sources for your organization?

| | 100 % - 70 % | 69% - 40% | 39% - | 9% - 0% |
|-------------------|--------------|-----------|-------|---------|
| International Aid | | | | |
| Government fund | | | | |
| Personal | | | | |
| Private sector | | | | |
| Membership fees | | | | |

9- For several NGOs, international fund is essential. Do you know any organization that faced difficulties to have foreign fund?

() Yes () No

If yes, what are the difficulties

.....
.....

10- How much time does your organization need to get government approval in case of getting funds from foreign donors?

() short time () Adequate time () long time

If long time, why

.....
.....

11-Has any organization you know ever experienced any of the following punishments or been threatened or warned of the possibility of such punishment?

() Financial penalties () Legal penalties () others

.....

..

12-Did you hear that any member of an organization you know experienced or been warned about the possibility of a prison punishment?

() No () Yes

what was the reason

.....

13- Have many organizations you know faced threat or warning of dissolution?

() No () yes

If yes, how many and what are the reasons

.....

14- Did you hear that the Ministry rejects any of organization's candidates?

() No () Yes

Do you know why

.....

15- Do you want to add any comments about Law 84 of 2002?

.....

Appendix B

Background Information about some interviewed NGOs

- A human right non-government organization attempts to increase legal awareness among people to help them to know their legal and constitutional rights. It aims to empower the society by establish the concept of democracy and peace.
- An educational and services non-government organization is trying to participate in enhancing the community by developing people especially deprived people. It has several educational, developmental, and services programs and activities for these people in order to improve and invest their skills with available resource to make them productive people in the society. This organization has several activities around the country.
- An educational and services non-government organization attempts to help people who are living in a slum. It is trying to develop them by providing some vocational training for children and young people. There are clean, well-furnished classes and computer labs provided with Internet. These classes are for slums children to encourage finishing their education rather than going to streets. The organization is providing health services for people especially women. This organization is in the middle of the slum and it is providing job opportunities for more than forty women.
- An educational and services non-government organization aims to provide programs, workshops, seminars, raising-awareness campaigns in several

fields to help in solving societal issues that the Egyptian community suffers from.

- A human right non-government organization aims to promote and preserve citizens' legal rights and freedom. The organization has several programs in various areas, such as right to health, freedom of religion and belief, and right to privacy.
- A human right non-government organization attempts to improve women's rights and freedom. It has several activities in empowering women and to help women to struggle for democracy, social justice, and all kinds of discrimination between men and women.
- A human right non-government organization aims to enhance social participants and raise the society's awareness about human rights and work together to eliminate all kinds of discrimination in the society. It has several programs, such as promoting democracy, spreading human rights culture, and gender equality.
- A human rights non-government organization provides legal support and assistance for Egyptian women. It is attempting to provide Egyptian women with all needed skills and capabilities to overcome all its life problems and be protected from all kinds of violence.

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