



# **Foreign Asylum Law No. 164 of 2024 in Egypt: The Legal Framework Governing Refugees and Asylum Applications**

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## Introduction

Foreign Asylum Law No. 164 of 2024 represents one of Egypt's most significant recent legislative developments, establishing a comprehensive legal framework governing refugees and asylum seekers within the country. The Law introduces an integrated system that regulates the conditions for obtaining refugee status, application procedures, competent authorities, and the rights and obligations associated with asylum.

The enactment of this Law reflects Egypt's commitment to its international protection obligations while simultaneously safeguarding national security and public order, thereby striking a careful balance between humanitarian considerations and state sovereignty.

### **First: Definition of a Refugee and an Asylum Seeker Under the Law**

Article (1) of the Foreign Asylum Law provides a detailed definition of a refugee as any foreign national who is outside their country of nationality or habitual residence and has a well-founded fear of persecution based on race, religion, nationality, membership of a particular social group, or political opinion, or due to circumstances such as armed conflicts, occupation, or events seriously disturbing public order.

Notably, the Law adopts a relatively broad definition by extending protection to stateless persons where similar grounds for protection exist. This reflects a more inclusive legal approach to international protection.

The same Article also defines an "Asylum Seeker" as a person who submits a formal application to the competent committee requesting recognition as a refugee and whose application has not yet been decided. Consequently, the applicant enjoys a temporary legal status pending a final determination of the asylum claim.



## **Second: Competent Authorities Responsible for Asylum Affairs**

Pursuant to Article (2), the Law designates the Permanent Committee for Refugee Affairs as the primary authority responsible for examining asylum applications and issuing related decisions, in coordination with the Ministry of Interior and other competent administrative bodies.

The Committee's principal responsibilities include:

1. Examining and deciding asylum applications;
2. Maintaining refugee-related records, data, and statistics;
3. Coordinating with international organizations concerned with refugee affairs;
4. Coordinating with governmental authorities to facilitate the provision of protection, care, and services.

The Committee is also vested with significant regulatory and administrative powers, including the authority to adopt temporary measures concerning asylum seekers in cases involving national security or public order considerations, subject to applicable legal safeguards.

## **Third: Procedures for Submitting Asylum Applications**

Article (7) establishes the procedure for filing asylum applications. The Law permits applications to be submitted either by the asylum seeker personally or through a legal representative, reflecting important procedural flexibility.

The Law further authorizes the competent Committee to prioritize applications on humanitarian grounds, particularly for vulnerable groups such as:

1. Unaccompanied children;
2. Pregnant women;



3. Elderly persons;
4. Victims of human trafficking, violence, or torture.

This framework constitutes an important safeguard aimed at ensuring effective legal protection for the most vulnerable individuals within the asylum system.

## **Fourth: Rights and Obligations of Refugees in Egypt**

The Law recognizes a broad range of fundamental rights for refugees residing in Egypt, consistent with international human rights standards. These rights include:

1. The right to work in accordance with applicable legal regulations;
2. The right to access Egyptian courts and judicial remedies (Article 17);
3. The right to basic healthcare services;
4. The right to education, particularly for refugee children (Article 20);
5. The right to freedom of movement and choice of residence (Article 22);
6. The right to establish companies or participate in commercial entities (Article 19);
7. The right to freedom of belief and the practice of religious rites (Article 14);
8. The right to voluntary repatriation and resettlement in accordance with legal requirements.

In return, the Law imposes several obligations upon refugees, including:

1. Compliance with Egyptian laws and respect for the Constitution;
2. Refraining from activities that threaten national security or public order;
3. Abstaining from political or partisan activities within Egypt (Articles 28, 29, and 30).



## **Fifth: Grounds for Refusal, Revocation, or Termination of Refugee Status**

The Law identifies several circumstances under which asylum may be denied or refugee status may be revoked after it has been granted.

Article (8) specifies situations where refugee status may not be granted, including:

1. Commission of war crimes or crimes against humanity;
2. Commission of serious crimes prior to entering Egypt;
3. Involvement in terrorist activities or inclusion on terrorism-related lists;
4. Conduct that threatens national security or public order.

Article (9) further provides for the revocation of refugee status in cases where:

1. Refugee status was obtained through fraud or misrepresentation;
2. Any of the exclusion grounds under Article (8) subsequently apply;
3. The refugee violates the legal obligations prescribed under Articles (28), (29), and (30).

As for the termination of refugee status, Article (33) regulates circumstances such as voluntary repatriation, acquisition of another nationality, cessation of the reasons giving rise to protection, or prolonged residence outside Egypt without a legitimate justification.



## **Sixth: The Principle of Non-Refoulement**

Article (13) expressly incorporates the principle of non-refoulement, one of the fundamental principles of international refugee law.

Under this principle, a refugee may not be returned to a country where they would face a genuine risk to their life or freedom.

The inclusion of this principle constitutes a core legal safeguard and demonstrates Egypt's commitment to providing humanitarian protection in accordance with international standards.

## **Seventh: Executive Regulations of the Foreign Asylum Law**

The Law delegates several detailed implementation matters to the Executive Regulations, which are expected to govern practical aspects of the asylum system, including application procedures, issuance of asylum-related documentation, coordination mechanisms among competent authorities, and resettlement procedures.

Given the importance of these practical implementation measures, we invite you to read our detailed article on the Executive Regulations of Foreign Asylum Law No. 164 of 2024 in Egypt, which examines the procedural and legal aspects of the framework in greater detail.



## ICG Services in Asylum and Immigration Matters

At International Consultancy Group (ICG), we provide comprehensive legal services in the fields of immigration and asylum law in Egypt. We assist individuals throughout every stage of the legal process, from assessing their legal position to representing and supporting them before the relevant authorities.

Our services include:

1. Submission of asylum applications and regularization of legal status;
2. Preparation and review of immigration and residency documentation;
3. Appeals against asylum application rejection decisions;
4. Specialized legal advice concerning residency and asylum matters;
5. Representation and follow-up before administrative and judicial authorities;
6. Legal support in resettlement and international protection matters.

Our team ensures full compliance with evolving legal and regulatory requirements while minimizing administrative and legal risks for our clients.

We do not merely provide legal advice; we act as strategic partners committed to safeguarding your legal interests and supporting the continuity of your personal and business affairs.

### Contact Us for Legal Assistance

If you require legal advice regarding residency status, asylum documentation, or compliance with Egypt's new refugee and asylum regulations, please contact us at:

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