

Comparing Egypt's Constitutions

Egyptians will soon vote in a referendum on a new constitution, their second in just over a year. Following the removal of then president Mohamed Morsi from office on July 3, Egypt's military-backed government began a two-phase process of creating a new constitution. During the first phase, the regime tasked a committee of ten legal experts with drafting a list of constitutional amendments. In the second phase, it appointed a committee of 50 representatives from various state institutions and social groups to build upon these amendments and write a new constitution. The draft, which was finalized on December 1, 2013, is meant to replace Egypt's 2012 constitution, which was written by an Islamist majority and approved by a December 2012 referendum with 63 percent of the vote.

The new draft constitution has removed language and articles favored by the Islamists. It has also expanded the powers of institutions that supported Morsi's removal, including the military, the judiciary, and the police. Despite these changes, however, the draft is still very similar to the 2012 constitution, which was itself based on the previous constitution adopted in 1971. The following table compares some of the most important articles as quoted from English translations of the [1971 constitution](#), the [2012 constitution](#), and the [2013 draft constitution](#). (An Arabic version of the 2013 draft constitution can be found [here](#).)

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1971 Constitution	2012 Constitution	2013 Draft Constitution
The Military		
Appointing the Defense Minister		
<p>Article 143 The President of the Republic shall appoint civil and military officials and diplomatic representatives, and dismiss them in the manner prescribed by the law. He shall also accredit the diplomatic representatives of foreign states.</p>	<p>Article 147 The President of the Republic shall appoint civil and military personnel and dismiss them, shall appoint diplomatic representatives and remove them, and shall confirm political representatives of foreign countries and organizations, as regulated by law.</p> <p>Article 195 The Minister of Defense is the Commander in Chief of the Armed Forces, appointed from among its officers.</p>	<p>Article 153 The President of the Republic appoints civil and military personnel and diplomatic representatives and dismisses them, and confirms political representatives to foreign countries and organizations in accordance with the law.</p> <p>Article 201 The Minister of Defense is the Commander in Chief of the Armed Forces, appointed from among its officers.</p> <p>Article 234 The Minister of Defense is appointed upon the approval of the Supreme Council of the Armed Forces. The provisions of this article shall remain in force for two full presidential terms starting from the date on which this Constitution comes into effect.</p>
The Military Budget		
<p>Not mentioned</p>	<p>Article 197 A National Defense Council shall be created, presided over by the President of the Republic and including in its membership the Speakers of the House of Representatives and the Shura Council, the Prime Minister, the Minister of Defense, the Minister of Foreign Affairs, the Minister of Finance, the Minister of Interior, the Chief of the General Intelligence Service, the Chief of Staff of the Armed</p>	<p>Article 203 A National Defense Council is established, presided over by the President of the Republic and including in its membership the Prime Minister, the Speaker of the House of Representatives, the Minister of Defense, the Minister of Foreign Affairs, the Minister of Finance, the Minister of Interior, the Chief of the General Intelligence Service, the Chief of Staff of the armed forces, the Commanders of the</p>

	<p>Forces, the Commander of the Navy, the Air Forces and Air Defense, the Chief of Operations for the Armed Forces and the Head of Military Intelligence.</p> <p>The President of the Republic may invite whoever is seen as having relevant expertise to attend the Council's meetings without having their votes counted.</p> <p>The Council is responsible for matters pertaining to the methods of ensuring the safety and security of the country and to the budget of the Armed Forces. It shall be consulted about draft laws related to the Armed Forces. Other competencies are to be defined by law.</p>	<p>Navy, the Air Forces and Air Defense, the Chief of Operations for the armed forces and the Head of Military Intelligence.</p> <p>The Council is responsible for looking into matters pertaining to the methods of ensuring the safety and security of the country, for discussing the armed forces' budget, which is incorporated as a single figure in the state budget. Its opinion must be sought in relation to draft laws on the armed forces. Its other competencies are defined by law.</p> <p>When discussing the budget, the head of the financial affairs department of the armed forces and the heads of the Planning and Budgeting Committee and the National Security Committee at the House of Representatives shall be included.</p> <p>The President of the Republic may invite whoever is seen as having relevant expertise to attend the Council's meetings without having their votes counted.</p>
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Military Trials

<p>Article 183 The law shall regulate the military judiciary, and define their competences in the framework of the principles in the Constitution.</p>	<p>Article 198 The Military Judiciary is an independent judiciary that adjudicates exclusively in all crimes related to the Armed Forces, its officers and personnel. Civilians shall not stand trial before military courts except for crimes that harm the Armed Forces. The law shall define such crimes and determine the other competencies of the Military Judiciary. Members of the Military</p>	<p>Article 204 The Military Judiciary is an independent judiciary that adjudicates exclusively in all crimes related to the armed forces, its officers, personnel, and their equals, and in the crimes committed by general intelligence personnel during and because of the service. Civilians cannot stand trial before military courts except for crimes that represent a direct assault against military facilities, military barracks, or</p>
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	<p>Judiciary are autonomous and cannot be dismissed. They share the immunities, securities, rights and duties stipulated for members of other judiciaries.</p>	<p>whatever falls under their authority; stipulated military or border zones; its equipment, vehicles, weapons, ammunition, documents, military secrets, public funds or military factories; crimes related to conscription; or crimes that represent a direct assault against its officers or personnel because of the performance of their duties. The law defines such crimes and determines the other competencies of the Military Judiciary.</p> <p>Members of the Military Judiciary are autonomous and cannot be dismissed. They share the securities, rights and duties stipulated for members of other judiciaries.</p>
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Declaring War

<p>Article 150 The President of Republic shall be the Supreme Commander of the Armed Forces. He shall be the authority to declare war, subject to approval by the People’s Assembly.</p>	<p>Article 146 The President of the Republic shall be the Supreme Commander of the Armed Forces. The President is not to declare war, or send the Armed Forces outside State territory, except after consultation with the National Defense Council and the approval of the House of Representatives with a majority of its members.</p>	<p>Article 152 The President of the Republic is the Supreme Commander of the Armed Forces. The President cannot declare war, or send the armed forces to combat outside state territory, except after consultation with the National Defense Council and the approval of the House of Representatives with a two-thirds majority of its members. If the House of Representatives is dissolved, the Supreme Council of the Armed Forces (SCAF) must be consulted and the approval of the Cabinet and National Defense Council must be obtained.</p>
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Religion

Religious Minorities

<p>Not mentioned</p>	<p>Article 3 The canon principles of</p>	<p>Article 3 The principles of the laws of</p>
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	Egyptian Christians and Jews are the main source of legislation for their personal status laws, religious affairs, and the selection of their spiritual leaders.	Egyptian Christians and Jews are the main source of laws regulating their personal status, religious affairs, and selection of spiritual leaders.
Freedom of Belief		
Article 46 The State shall guarantee the freedom of belief and the freedom of practice of religious rites.	Article 43 Freedom of belief is an inviolable right. The State shall guarantee the freedom to practice religious rites and to establish places of worship for the divine religions, as regulated by law.	Article 64 Freedom of belief is absolute. The freedom of practicing religious rituals and establishing places of worship for the followers of revealed religions is a right organized by law.
Sharia and Islamic Principles		
Article 2 Islam is the religion of the state and Arabic its official language. Principles of Islamic law (Shari'a) are the principal source of legislation.	Article 2 Islam is the religion of the state and Arabic its official language. Principles of Islamic Sharia are the principal source of legislation.	Article 2 Islam is the religion of the state and Arabic is its official language. The principles of Islamic Sharia are the principle source of legislation.
Not mentioned	Article 219 The principles of Islamic Sharia include general evidence, foundational rules, rules of jurisprudence, and credible sources accepted in Sunni doctrines and by the larger community.	Not mentioned
Al-Azhar		
Not mentioned	Article 4 Al-Azhar is an encompassing independent Islamic institution, with exclusive autonomy over its own affairs, responsible for preaching Islam, theology and the Arabic language in Egypt and the world. Al-Azhar Senior Scholars are to be consulted in matters pertaining to Islamic law. The post of Al-Azhar Grand Sheikh is independent and cannot be dismissed. The method of appointing the Grand Sheikh from among	Article 7 Al-Azhar is an independent scientific Islamic institution, with exclusive competence over its own affairs. It is the main authority for religious sciences, and Islamic affairs. It is responsible for preaching Islam and disseminating the religious sciences and the Arabic language in Egypt and the world. The state shall provide enough financial allocations to achieve its purposes. Al-Azhar's Grand Sheikh is

	<p>members of the Senior Scholars is to be determined by law. The State shall ensure sufficient funds for Al-Azhar to achieve its objectives. All of the above is subject to law regulations.</p>	<p>independent and cannot be dismissed. The method of appointing the Grand Sheikh from among the members of the Council of Senior Scholars is to be determined by law.</p>
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System of Government

Principles of Government

<p>Article 3 Sovereignty is for the people alone and they are the source of authority. The people shall exercise and protect this sovereignty, and safeguard national unity in the manner specified in the Constitution.</p>	<p>Article 5 Sovereignty is for the people alone and they are the source of authority. The people shall exercise and protect this sovereignty, and safeguard national unity in the manner specified in the Constitution.</p>	<p>Article 4 Sovereignty belongs to the people alone, which exercises it and protects it. They are the source of power. They safeguard their national unity, which is based on the principle of equality, justice and equal opportunity between citizens, as provided in this Constitution.</p>
<p>Article 5 The political system of the Arab Republic of Egypt is a multiparty system, within the framework of the basic elements and principles of the Egyptian society as stipulated in the Constitution. Political parties are regulated by law. Citizens have the right to establish political parties according to the law and no political activity shall be exercised nor political parties established on a religious referential authority, on a religious basis or on discrimination on grounds of gender or origin.</p>	<p>Article 6 The political system is based on the principles of democracy and shura (counsel), citizenship (under which all citizens are equal in rights and duties), multi-party pluralism, peaceful transfer of power, separation of powers and the balance between them, the rule of law, and respect for human rights and freedoms; all as elaborated in the Constitution.</p>	<p>Article 5 The political system is based on political and partisan multiplicity, the peaceful transfer of power, the separation and balance of powers, authority going with responsibility, and respect for human rights and freedoms, as set out in the Constitution.</p>
<p>Article 1 The Arab Republic of Egypt is a democratic state based on citizenship. The Egyptian people are part of the Arab nation and work for the realization of its comprehensive unity.</p>	<p>Article 1 The Arab Republic of Egypt is an independent sovereign state, united and indivisible, its system democratic. The Egyptian people are part of the Arab and Islamic nations, proud of belonging to the Nile Valley</p>	<p>Article 1 The Arab Republic of Egypt is a sovereign state, united and indivisible, where nothing is dispensable, and its system is democratic republic based on citizenship and the rule of law. Egypt is part of the Arab nation</p>

	and Africa and of its Asian reach, a positive participant in human civilization.	and enhances its integration and unity. It is part of the Muslim world, belongs to the African continent, is proud of its Asian dimension, and contributes to building human civilization.
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Presidential Veto

<p>Article 112 The President of the Republic shall have the right to promulgate or veto laws.</p> <p>Article 113 Should the President of the Republic veto a draft law ratified by the People’s Assembly, he shall refer it back to the Assembly within thirty days from notification thereto by the Assembly. If the draft law is not referred back within this period, it shall be considered a law and shall be promulgated. If it is referred back to the Assembly on the said date and approved once again by a majority of two-thirds of the members, it shall be considered a law and shall be promulgated.</p>	<p>Article 104 The House of Representatives shall notify the President of the Republic of any law passed for the President to issue the new law within 15 days from the date of receiving it. In case the President objects to the draft law, it must be referred back to the House of Representatives within 30 days. If the draft law is not referred back within this period, or if it is approved again by a majority of two-thirds of the members, it shall be considered a law and shall be disseminated as such. If it is not approved by the House of Representatives, it may not be presented in the same session before four months have passed from the date of the decision.</p>	<p>Article 123 The President of the Republic has the right to issue or object to laws. If the President of the Republic objects to a draft law approved by the House of Representatives, it must be referred back to the House within 30 days of the House's being notified thereof. If the draft law is not referred back to the House within this period, it is considered a law and is issued. If it is referred back to the House within the aforementioned period, and is approved again by a majority of two-thirds of its members, it is considered a law and is issued.</p>
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Dissolving Parliament

<p>Article 136 The President of the Republic may not dissolve the People’s Assembly unless it is necessary. Should the Assembly be dissolved over a certain matter, the new Assembly may not be dissolved on the same matter. The decision shall include a call to voters for new elections of the People’s Assembly latest within sixty days from the date of issuing the decision of dissolution. The new Assembly</p>	<p>Article 127 The President of the Republic may not dissolve the House of Representatives except by a causative decision and following a public referendum. A House of Representatives may not be dissolved during its first annual session, nor for the same cause for which the immediately previous House of Representatives was dissolved. To dissolve the House of Representatives, the President</p>	<p>Article 137 The President of the Republic may not dissolve the House of Representatives except when necessary by a causal decision and following a public referendum. The House of Representatives may not be dissolved for the same cause for which the previous House was dissolved. The President of the Republic must issue a decision to suspend parliamentary sessions</p>
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<p>shall convene within the ten days following the completion of elections.</p>	<p>must issue a decision to suspend parliamentary sessions and hold a referendum within 20 days. If voters agreed with a valid majority on the dissolution, it shall be carried out. The President shall then call for early parliamentary elections to take place within 30 days from the date of the dissolution. The new House of Representatives shall convene within the 10 days following the completion of elections. If no such majority agrees to the dissolution, the President of the Republic shall resign. If, however, the referendum or elections do not take place within the specified time limit, the existing Parliament shall reconvene of its own accord on the day following the expiry of the time limit.</p>	<p>and hold a referendum on dissolution within no more than 20 days. If voters agree by a majority of valid votes, the President of the Republic issues the decision of dissolution, and calls for early parliamentary elections to take place within no more than 30 days from the date of the decision's issuance. The new House convenes within the 10 days following the announcement of the referendum results.</p>
<p>Presidential Term Limits</p>		
<p>Not mentioned</p>	<p>Article 133 The President of the Republic shall be elected for a period of four calendar years, commencing on the day the term of his predecessor ends. The President may be reelected only once. The process of the presidential election begins at least 90 days before the end of the presidential term. The result is to be announced at least 10 days before the end of term. The President of the Republic may not hold any partisan position for the duration of the presidency.</p>	<p>Article 140 The President of the Republic is elected for a period of four calendar years, commencing on the day the term of his predecessor ends. The President may only be reelected once. The procedures for electing the President of the Republic begin at least 120 days before the end of the presidential term. The result is to be announced at least 30 days before the end of term. The President of the Republic may not hold any partisan position for the duration of the presidency.</p>
<p>Impeachment</p>		
<p>Article 85* Any charge against the</p>	<p>Article 152 A charge of felony or treason</p>	<p>Article 159 A charge of violating the</p>

<p>President of high treason or of committing a criminal act shall be made upon a proposal by at least one third of the members of the People's Assembly. No impeachment shall be issued except upon the approval of a majority of two-thirds of the Assembly members. The President of the Republic shall be suspended from the exercise of his duties as from the issuance of the impeachment. The Vice-President shall take over the Presidency temporarily until the decision concerning the impeachment is taken. The President of the Republic shall be tried by a special Tribunal set up by law. The law shall also organize the trial procedures and define the penalty. In case he is found guilty, he shall be relieved of his post without prejudice to other penalties.</p>	<p>against the President of the Republic is to be based on a motion signed by at least one-third of the members of the House of Representatives. An impeachment is to be issued only by a two-thirds majority of the members of the House of Representatives. As soon as an impeachment decision has been issued, the President of the Republic shall cease all work; this shall be treated as a temporary obstacle preventing the President from carrying out presidential duties until a verdict is reached. The President of the Republic shall be tried before a special court headed by the President of the Supreme Constitutional Court, the longest-serving Deputy of the President of the Court of Cassation and the State Council, and the two longest-serving presidents of the Court of Appeals; the prosecution to be carried out before such court by the Prosecutor General. The prosecution, trial procedure and penalty are regulated by law. In the case of conviction, the President of the Republic shall be relieved of his post, without prejudice to other penalties.</p>	<p>provisions of the Constitution, high treason or any other felony against the President of the Republic is to be based on a motion signed by at least a majority of the members of the House of Representatives. An impeachment is to be issued only by a two-thirds majority of the members of the House of Representatives and after an investigation to be carried out by the Prosecutor General. If there is an impediment, he is to be replaced by one of his assistants. As soon as an impeachment decision has been issued, the President of the Republic ceases all work; this is treated as a temporary impediment preventing the President from carrying out presidential duties until a verdict is reached in the case. The President of the Republic is tried before a special court headed by the president of the Supreme Judicial Council, and with the membership of the most senior deputy of the president of the Supreme Constitutional Court, the most senior deputy of the president of the State Council, and the two most senior presidents of the Court of Appeals; the prosecution to be carried out before such court by the Prosecutor General. If an impediment exists for any of the foregoing individuals, they are replaced by order of seniority. The court verdicts are irrevocable and not subject to challenge. The law organizes the investigation and the trial</p>
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		<p>procedures. In the case of conviction, the President of the Republic is relieved of his post, without prejudice to other penalties.</p>
<p>Appointing the Government</p>		
<p>Article 141 The President shall appoint and remove from office the Prime Minister. Appointment and removal from office of deputy-prime ministers, ministers and deputy-ministers and relieving them of their posts shall be made by a presidential decree subject to consultation with the Prime Minister.</p>	<p>Article 139 The President of the Republic appoints the Prime Minister, who shall be assigned by the President the task of forming the Cabinet and presenting it to the House of Representatives within 30 days. If the Cabinet is not granted parliamentary confidence, the President shall appoint another Prime Minister from the party that holds the majority of seats in the House of Representatives. If the Cabinet of that appointed Prime Minister does not obtain parliamentary confidence within a similar period, the House of Representatives then appoints a Prime Minister who shall be assigned by the President the task of forming a Cabinet, provided said Cabinet obtains parliamentary confidence within a similar period. Otherwise, the President of the Republic shall dissolve the House of Representatives and call the elections of a new House of Representatives within 60 days from the date the dissolution is announced. In all cases, the sum of the periods set forth in this Article should not exceed 90 days. In the case of dissolution of the House of Representatives, the Prime Minister shall present the Cabinet and its plan to the new House of Representatives at its first session.</p>	<p>Article 146 The President of the Republic assigns a Prime Minister to form the government and present his program to the House of Representatives. If his government does not obtain the confidence of the majority of the members of the House of Representatives within no more 30 days, the President appoints a Prime Minister based on the nomination of the party or the coalition that holds a plurality of seats in the House of Representatives. If his government fails to win the confidence of the majority of the members of the House of Representatives within 30 days, the House is deemed dissolved, and the President of the Republic calls for the elections of a new House of Representatives within 60 days from the date the dissolution is announced. In all cases, the sum of the periods set forth in this Article shall not exceed 60 days. In the event that the House of Representatives is dissolved, the Prime Minister presents the government and its program to the new House of Representatives at its first session. In the event that the government is chosen from the party or the coalition that holds a plurality of seats at the House of Representatives, the</p>

		President of the Republic may, in consultation with the Prime Minister, choose the Ministers of Justice, Interior, and Defense.
Political Representation		
<p>Article 87 The law shall determine the constituencies into which the State shall be divided and the number of elected members of the People’s Assembly must be at least 350 persons, of whom at least one half shall be workers and peasants elected by direct secret public balloting. The definition of worker and peasant shall be provided by law. The President of the Republic may appoint a number of members not exceeding ten.</p>	<p>Article 229 Procedures for the first parliamentary elections shall begin within 60 days of this Constitution coming into effect, the first legislative term held within 10 days from the date of announcing the final result of the elections. In this House of Representatives, farmers and workers shall have a minimum of 50 percent representation. A worker refers to anyone who is hired by another for a fee or salary. A farmer refers to anyone who has taken agriculture as a profession for a minimum of 10 years preceding parliamentary nomination. The standards and regulations required for a candidate to be considered a farmer or a work shall be determined by law.</p>	<p>Article 243 The state grants workers and farmers appropriate representation in the first House of Representatives to be elected after this Constitution is adopted, in the manner specified by law.</p>
Decentralization and Local Government		
<p>Article 161 The Arab Republic of Egypt shall be divided into administrative units that are considered as judicial persons, including governorates, cities and villages. Other administrative units that are judicial persons may be established whenever required for public interest. The law guarantees support for decentralization and regulates means of empowering administrative units, including</p>	<p>Article 183 The State is divided into administrative units that are considered as judicial persons and include governorates, provinces, cities, districts and villages. One administrative unit may comprise more than one village or district. Other administrative units that are judicial persons may be established, all as regulated by law, in a manner that supports decentralization, empowering administrative units in</p>	<p>Article 176 The state ensures support for administrative, financial, and economic decentralization. The law organizes empowering administrative units in providing, improving, and managing public utilities well, and defines the timeline for transferring powers and budgets to the local administration units.</p>

<p>the provision, promotion and good administration of local services and utilities.</p>	<p>providing local services and facilities, improving them and managing them well.</p>	
<p>Article 162 Local People’s Councils shall be gradually devolution, on the level of administrative units, by direct election, providing that at last half of their members shall be workers and peasants. The law shall define for the gradual devolution of authority to them. Heads and deputy-heads, of the Councils shall be selected from among their members by means of election.</p>	<p>Article 188 Every Local Unit shall elect a Local Council by direct, secret ballot for a term of four years. Representatives from the executive apparatus of the Local Unit shall form part of the Council but have no counted vote. Every Council elects its President and Deputy from among its elected members. Conditions and procedures for nomination and election are regulated by law.</p> <p>Article 189 The Local Council shall be concerned with the issues that matter in the Unit it represents and shall create and manage local facilities—economic, social and health-related—and other activities, in the manner regulated by law.</p> <p>Article 190 The Local Council decisions issued within the limits of its jurisdiction are final and not subject to interference from the executive authorities, except to prevent the Council from overstepping limits, or causing damage to public interest or the interests of other Local Councils. Any dispute over the jurisdiction of a Local Council shall be dealt with as a matter of urgency by the Legislation Department of the State Council, all in the manner regulated by law.</p>	<p>Article 179 The law regulates the manner in which governors and heads of other local administrative units are selected, and defines their mandate.</p> <p>Article 180 Every local unit elects a local council by direct, secret ballot for a term of four years. A candidate must be no younger than 21 years old. The law regulates other conditions for candidacy and procedures of election, provided that one quarter of the seats are allocated to youth under 35 years old, one quarter is allocated for women, workers and farmers are represented by no less than 50 percent of the total number of seats, and these percentages include a proper representation of Christians and people with disability. Local councils are responsible for developing and implementing the development plan, monitoring the activity’s different aspects, exercising the tools of monitoring the executive authority such as proposals, and submitting questions, briefing motions, interpellations and others, and withdrawing confidence from the heads of local units, in the manner organized by law. The law defines the mandate of other local councils, their financial sources, guarantees of its members, and their independence.</p>

	<p>Article 191 Every Local Council shall be in charge of its own budget and final accounts, in the manner regulated by law.</p> <p>Article 192 It is prohibited to dissolve Local Councils as part of a comprehensive administrative procedure. The manner to dissolve and reelect any one of them shall be regulated by law.</p>	<p>Article 181 Local council decisions that are issued within the council’s mandate are final. They are not subject to interference from the executive authority, except to prevent the council from overstepping these limits, or causing damage to the public interest or the interests of other local councils. Any dispute over the jurisdiction of these local councils in villages, centers or towns is settled by the governorate-level local council. Disputes over the jurisdiction of governorate-level local councils are dealt with as a matter of urgency by the General Assembly of the Legal Opinion and Legislation Departments of the State Council. The foregoing is organized by law.</p> <p>Article 182 Every local council is in charge of its own budget and final accounts, in the manner organized by law.</p> <p>Article 183 It is prohibited to dissolve local councils as part of a comprehensive administrative procedure. The manner to dissolve and reelect them is organized by law.</p>
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Basic Rights and Freedoms

Equal Opportunity

<p>Article 8 The State shall guarantee equality of opportunity to all citizens.</p>	<p>Article 9 The State shall ensure safety, security and equal opportunities for all citizens</p>	<p>Article 9 The state ensures equal opportunity for all citizens without discrimination.</p>
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	without discrimination.	
Women in the Constitution		
<p>Article 9 The family is the basis of the society and is founded on religion, morality and patriotism. The State is keen to preserve the genuine character of the Egyptian family— together with the values and traditions it embodies—while affirming and developing this character in the relations within the Egyptian society.</p> <p>Article 10 The State shall guarantee the protection of motherhood and childhood, take care of children and youth and provide suitable conditions for the development of their talents.</p> <p>Article 11 The State shall guarantee harmonization between the duties of woman towards the family and her work in the society, ensuring her equality status with man in fields of political, social, cultural and economic life without violation of the rules of Islamic jurisprudence.</p>	<p>Article 10 The family is the basis of the society and is founded on religion, morality and patriotism. The State is keen to preserve the genuine character of the Egyptian family, its cohesion and stability, and to protect its moral values, all as regulated by law. The State shall ensure maternal and child health services free of charge, and enable the reconciliation between the duties of a woman toward her family and her work. The State shall provide special care and protection to female breadwinners, divorced women and widows.</p>	<p>Article 10 Family is the basis of society and is based on religion, morality, and patriotism. The state protects its cohesion and stability, and the consolidation of its values.</p> <p>Article 11 The state commits to achieving equality between women and men in all civil, political, economic, social, and cultural rights in accordance with the provisions of this Constitution. The state commits to taking the necessary measures to ensure appropriate representation of women in the houses of parliament, in the manner specified by law. It grants women the right to hold public posts and high management posts in the state, and to appointment in judicial bodies and entities without discrimination. The state commits to the protection of women against all forms of violence, and ensures women empowerment to reconcile the duties of a woman toward her family and her work requirements. The state ensures care and protection and care for motherhood and childhood, and for breadwinning, and elderly women, and women most in need.</p>
Freedom of the Press		
<p>Article 208 The freedom of the press is guaranteed and press censorship is forbidden. Also</p>	<p>Article 48 Freedom of the press, printing, publication and mass media shall be guaranteed. The media</p>	<p>Article 70 Freedom of press and printing, along with paper, visual, audio and digital distribution is</p>

<p>forbidden is to threaten, suppress, or foreclose a newspaper through administrative measures, as stipulated in the Constitution and defined by law.</p> <p>Article 209 The freedom to issue newspapers and their ownership by public or private or political judicial persons or by political parties is safeguarded in accordance with the law. The financing and ownership of newspapers are subject to the supervision of the people, as stipulated in the Constitution and defined by law.</p> <p>Article 210 Journalists have the right to obtain news and information according to the regulations set by law. Their activities are not subject to any authority other than the law.</p>	<p>shall be free and independent to serve the community and to express the different trends in public opinion, and contribute to shaping and directing in accordance with the basic principles of the State and society, and to maintain rights, freedoms and public duties, respecting the sanctity of the private lives of citizens and the requirements of national security. The closure or confiscation of media outlets is prohibited except with a court order. Control over the media is prohibited, with the exception of specific censorship that may be imposed in times of war or public mobilization.</p> <p>Article 49 Freedom to publish and own newspapers of all kinds is a guaranteed subject of notification for every natural or juridical Egyptian person. The establishing of radio stations, television broadcasting and digital media is regulated by law.</p>	<p>guaranteed. Egyptians— whether natural or legal persons, public or private— have the right to own and issue newspapers and establish visual, audio and digital media outlets. Newspapers may be issued once notification is given as regulated by law. The law shall regulate ownership and establishment procedures for visual and radio broadcast stations in addition to online newspapers.</p> <p>Article 71 It is prohibited to censor, confiscate, suspend or shut down Egyptian newspapers and media outlets in any way. Exception may be made for limited censorship in time of war or general mobilization. No custodial sanction shall be imposed for crimes committed by way of publication or the public nature thereof. Punishments for crimes connected with incitement to violence or discrimination amongst citizens, or impugning the honor of individuals are specified by law.</p> <p>Article 72 The state shall ensure the independence of all press institutions and owned media outlets, in a way that ensures their neutrality and expressing all opinions, political and intellectual trends and social interests; and guarantees equality and equal opportunity in addressing public opinion.</p>
<p>Article 211 The Supreme Council of the</p>	<p>Article 215 The National Media Council</p>	<p>Article 211 The National Media Council is</p>

<p>Press shall deal with matters concerning the press. The law shall define its composition, competencies and its relationship with the State authorities. The Supreme Press Council shall exercise its competencies with a view to consolidating the freedom and independence of the press, to uphold the basic foundations of society, and to guarantee sound of national unity and social peace as stipulated in the constitution and defined by law.</p>	<p>regulates the affairs of radio, television, and printed and digital press, among others. The Council shall ensure the freedom of media in all its forms, safeguard plurality, fight centralization and monopoly, protect the interests of the public, and establish controls and regulations ensuring the commitment of media to adhere to professional and ethical standards, to preserve the Arabic language, and to observe the values and constructive traditions of society.</p>	<p>an independent entity that has a legal personality, enjoys technical, financial and administrative independence, and has an independent budget. The Council . . . regulates the affairs of radio, television, and printed and digital press, among others. The Council is responsible for guaranteeing and protecting the freedom of press and media stipulated in the Constitution; safeguarding its independence, neutrality, plurality and diversity, preventing monopolistic practices; monitoring the legality of the sources of funding of press and media institutions; and establishing the controls and regulations necessary to ensure the commitment of press and media outlets to adhere to professional and ethical standards, and national security needs as set out by law. The law determines the composition of the Council, its system of operation, and stipulates the conditions of employment for its staff. The Council is to be consulted on bills and regulations related to its field of operation.</p>
<p>Not mentioned</p>	<p>Article 216 The National Press and Media Association manages State-owned press and media institutions and undertakes the development of them and their assets to maximize their national investment value and ensure their adherence to sensible professional,</p>	<p>Article 212 The National Press and Media Association is independent, manages state-owned press and media institutions, and undertakes the development of them and their assets, and ensures their development, independence, neutrality and their adherence to sensible</p>

	administrative and economic standards.	professional, administrative and economic standards. The composition of the association, its system of operation, and the conditions of employment of its staff are specified by law. It is to be consulted about bills and regulations pertaining to its field of operation.
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Freedom of Thought and Expression

<p>Article 47 Freedom of opinion is guaranteed. Every individual has the right to express his opinion and to disseminate it verbally, in writing, illustration or by other means within the limits of the law. Self-criticism and constructive criticism is a guarantee for the safety of the national structure.</p>	<p>Article 45 Freedom of thought and opinion shall be guaranteed. Every individual has the right to express an opinion and to disseminate it verbally, in writing or illustration, or by any other means of publication and expression.</p> <p>Article 31 Dignity is the right of every human being, safeguarded by the State. Insulting or showing contempt toward any human being shall be prohibited.</p> <p>Article 44 Insult or abuse of all religious messengers and prophets shall be prohibited.</p>	<p>Article 65 Freedom of thought and opinion is guaranteed. All individuals have the right to express their opinion through speech, writing, imagery, or any other means of expression and publication.</p>
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Freedom of Assembly

<p>Article 54 Citizens shall have the right to peaceable and unarmed private assembly, without the need for prior notice. Security men shall not attend such private meetings. Public meetings, processions and gatherings are allowed within the limits of the law.</p>	<p>Article 50 Citizens have the right to organize public meetings, processions and peaceful demonstrations, unarmed and based on the notification regulated by law. The right to private assembly is guaranteed without the need for prior notice. Security personnel shall not attend or intercept such private meetings.</p>	<p>Article 73 Citizens have the right to organize public meetings, marches, demonstrations and all forms of peaceful protest, while not carrying weapons of any type, upon providing notification as regulated by law. The right to peaceful, private meetings is guaranteed, without the need for prior notification. Security forces</p>
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		may not to attend, monitor or eavesdrop on such gatherings.
<p>Article 55 Citizens shall have the right to association as defined in the law. It is prohibited to establish societies whose activities are hostile to the social system, clandestine or have a military character.</p>	<p>Article 51 Citizens have the right to establish associations and civil institutions, subject to notification only. Such institutions shall operate freely, and be deemed legal persons. Authorities may not disband them or their administrative bodies without a court order, in the manner prescribed by the law.</p>	<p>Article 75 Citizens have the right to form non-governmental organizations and institutions on a democratic basis, which shall acquire legal personality upon notification. They shall be allowed to engage in activities freely. Administrative agencies shall not interfere in the affairs of such organizations, dissolve them, their board of directors, or their board of trustees except by a judicial ruling. The establishment or continuation of non-governmental organizations and institutions whose structure and activities are operated and conducted in secret, or which possess a military or quasi-military character are forbidden, as regulated by law.</p>
Labor Unions		
<p>Article 56 The establishment of syndicates and unions on a democratic basis is a right guaranteed by law, and shall be deemed legal persons. The law shall regulate the participation of syndicates and unions in implementing social programs and plans, raising the standard of productivity among their members, and safeguarding their assets.</p>	<p>Article 52 The freedom to form syndicates, unions and cooperatives is a right guaranteed by law. They shall be deemed legal persons, be formed on a democratic basis, operate freely, participate in the service of community service, raising the standard of productivity among their members, and safeguarding their assets. Authorities may not disband them or their boards except under a court order.</p>	<p>Article 76 The establishment of federations and syndicates on a democratic basis is a right guaranteed by law. Such federations and syndicates will possess legal personality, be able to practice their activities freely, contribute to improving the skills of its members, defend their rights and protect their interests. The state guarantees the independence of all federations and syndicates. The boards of directors thereof may only dissolved by a judicial ruling. Syndicates may not be established within</p>

		governmental bodies.
Not mentioned	<p>Article 53 Professional syndicates are regulated by law and managed on a democratic basis, the accountability of their members subject to professional codes of ethics. One trade union is allowed per profession. Authorities may not disband the boards of professional syndicates except with a court order, and may not place them under sequestration.</p>	<p>Article 77 The law shall regulate the establishment and administration of professional syndicates on a democratic basis, guarantee their independence, and specify their resources and the way members are recorded and held accountable for their behavior while performing their professional activities, according to ethical codes of moral and professional conduct. No profession may establish more than one syndicate. Receivership may not be imposed nor may administrative bodies intervene in the affairs of such syndicates, and their boards of directors may only be dissolved by a judicial ruling. All legislation pertaining to a given profession shall be submitted to the relevant syndicate for consultation.</p>
	<p>Article 63 Work is a right, duty and honor for every citizen, guaranteed by the State on the basis of the principles of equality, justice and equal opportunities. . . . The right to peaceful strike is regulated by law.</p>	<p>Article 15 Striking peacefully is a right which is organized by law.</p>
Political Parties		
<p>Article 5 Citizens have the right to establish political parties according to the law and no political activity shall be exercised nor political parties established on a religious referential authority, on a religious basis or on</p>	<p>Article 6 The political system is based on the principles of democracy and shura (counsel), citizenship (under which all citizens are equal in rights and duties), multi-party pluralism, peaceful transfer of power, separation of powers and the balance</p>	<p>Article 74 Citizens have the right to form political parties by notification as regulated by the law. No political activity may be exercised or political parties formed on the basis of religion, or discrimination based on sex, origin, sect or geographic</p>

discrimination on grounds of gender or origin.	between them, the rule of law, and respect for human rights and freedoms; all as elaborated in the Constitution. No political party shall be formed that discriminates on the basis of gender, origin or religion.	location, nor may any activity be practiced that is hostile to democracy, secretive, or which possesses a military or quasi-military nature. Parties may only dissolved by a judicial ruling.
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Freedom of Information

Not mentioned	Article 47 Access to information, data, documents and statistics, and the disclosure and circulation thereof, is a right guaranteed by the state, in a manner that does not violate the sanctity of private life or the rights of others, and that does not conflict with national security. The law regulates the rules for filing and archiving public documents, the means of access to information, the means of complaint when access is refused, and the consequent accountability.	Article 68 Information, data, statistics and official documents are owned by the people. Disclosure thereof from various sources is a right guaranteed by the state to all citizens. The state shall provide and make them available to citizens with transparency. The law shall organize rules for obtaining such, rules of availability and confidentiality, rules for depositing and preserving such, and lodging complaints against refusals to grant access thereto. The law shall specify penalties for withholding information or deliberately providing false information. State institutions shall deposit official documents with the National Library and Archives once they are no longer in use. They shall also protect them, secure them from loss or damage, and restore and digitize them using all modern means and instruments, as per the law.
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Protection from Violations

Not mentioned	Article 80 Any encroachment on any of the rights and freedoms guaranteed by the Constitution shall be considered a crime for which criminal and civil lawsuit shall not be forfeited by	Article 99 Any assault on the personal freedoms or sanctity of the life of citizens, along with other general rights and freedoms guaranteed by the Constitution and the law, is a crime with no
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	<p>prescription. The State shall grant a fair compensation to the victim of such encroachment.</p> <p>The injured party shall have the right to lodge a direct criminal action.</p> <p>The National Council for Human Rights shall inform the Public Prosecution of any violation of these rights, may join the injured party in a civil action, and may appeal on their behalf.</p>	<p>statute of limitations for both civil and criminal proceedings. The injured party may file a criminal suit directly.</p> <p>The state guarantees just compensation for those who have been assaulted. The National Council for Human Rights shall inform the prosecutor's office of any violation of these rights, and also possesses the right to enter into an ancillary civil lawsuit on the side of the injured party at its request. This is as specified within the law.</p>
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Torture

<p>Article 42</p> <p>Any person arrested, detained or his freedom restricted shall be treated in such a manner that preserves his human dignity.</p> <p>No physical or moral harm shall be inflicted upon him.</p> <p>He may not be detained or imprisoned in places other than those defined by laws regulating prisons.</p> <p>Any statement proved to have been made by a person under any of the aforementioned forms of duress or coercion or under the threat thereof, shall be considered invalid and futile.</p>	<p>Article 36</p> <p>Any person arrested, detained or whose freedom is restricted in any way, shall be treated in a manner preserving human dignity. No physical or moral harm shall be inflicted upon that person.</p> <p>Only places that are humanely and hygienically fit, and subject to judicial supervision, may be used for detention.</p> <p>The violation of any of the above is an offense punishable by law.</p> <p>Any statement proved to have been made by a person under any of the aforementioned forms of duress or coercion or under the threat thereof, shall be considered invalid and futile.</p>	<p>Article 52</p> <p>All forms of torture are a crime with no statute of limitations.</p> <p>Article 55</p> <p>All those who are apprehended, detained or have their freedom restricted shall be treated in a way that preserves their dignity. They may not be tortured, terrorized, or coerced. They may not be physically or mentally harmed, or arrested and confined in designated locations that are appropriate according to humanitarian and health standards. The state shall provide means of access for those with disabilities.</p> <p>Any violation of the above is a crime and the perpetrator shall be punished under the law.</p> <p>The accused possesses the right to remain silent. Any statement that is proven to have been given by the detainee under pressure of any of that which is stated above, or the threat of such, shall be considered null and void.</p>
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The Judiciary

Governing the Judiciary

Article 173

Every judicial body shall administer its own affairs. A council, comprising chiefs of judicial bodies and chaired by the President, shall be formed to administer their common affairs. The law shall define its composition, competencies, and working modalities.

Article 166

Judges shall be independent, subject to no other authority but the law. No authority may intervene in cases or in justice affairs.

Article 167

The law shall determine judiciary authorities and their functions, organize the way of their formation, define conditions and procedures for the appointment and transfer of their members.

Article 169

Every judiciary body shall administer its own affairs; each shall have an independent budget and be consulted on the draft laws governing its affairs, by the means that are regulated by law.

Article 170

Judges are independent, cannot be dismissed, are subject to no other authority but the law, and are equal in rights and duties. The conditions and procedures for their appointment and disciplinary actions against them are defined and regulated by the law. When delegated, their delegation shall be absolute, to the destinations and in the positions defined by the law, all in a manner that preserves the independence of the judiciary and the accomplishment of its duties.

Article 185

All judicial bodies administer their own affairs. Each has an independent budget, whose items are all discussed by the House of Representatives. After approving each budget, it is incorporated in the state budget as a single figure, and their opinion is consulted on the draft laws governing their affairs.

Article 186

Judges are independent, cannot be dismissed, are subject to no other authority but the law, and are equal in rights and duties. The conditions and procedures for their appointment, secondment, delegation and retirement are regulated by the law. It also regulates their disciplinary accountability. They may not be fully or partly delegated except to bodies and to perform tasks that are identified by law, provided that all the foregoing maintains the independence and impartiality of the judiciary and judges and prevents conflicts of interest. The rights, duties and guarantees granted to them are specified by law.

The Supreme Constitutional Court

Article 176

The law shall regulate the manner of the formation of the Supreme Constitutional Court, and define requirements to be satisfied by its members, rights and immunities.

Article 176

The Supreme Constitutional Court is made up of a president and ten members. The law determines judicial or other bodies that shall nominate them and regulates the manner of their appointment and

Article 193

The Court is made up of a president and a sufficient number of deputies to the president. The Commissioners Authority of the Supreme Constitutional Court is composed of a

	<p>requirements to be satisfied by them. Appointments take place by a decree from the President of the Republic.</p>	<p>president and a sufficient number of presidents in the authority, advisors and assistant advisors. The General Assembly chooses the Court's President from among the most senior three vice-presidents of the court. It also chooses the vice-presidents and the members of its Commissioners Authority, who are appointed by a decree from the President of the Republic. The foregoing takes place in the manner defined by the law.</p>
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The Public Prosecution

<p>Not mentioned</p>	<p>Article 173 The Public Prosecution is an integral part of the judiciary, to investigate, press and follow charges in all criminal cases except what is exempted by law. Other competencies are defined by law. The Public Prosecution is conducted by a Prosecutor General appointed by the President of the Republic, based on the selection of the Supreme Judicial Council from among the Deputies to the President of the Court of Cassation, the Presidents of the Court of Appeals and Assistant Prosecutor Generals, for a period of four years, or for the period remaining until retirement age, whichever comes first, and only once during a judge's career.</p>	<p>Article 189 The public prosecution is an integral part of the judiciary. It is responsible for investigating, pressing charges and prosecuting all criminal cases except what is exempted by law. The law establishes the public prosecution's other competencies. Public prosecution is carried out by a Prosecutor General who is selected by the Supreme Judicial Council from among the Deputies to the President of the Court of Cassation, the Presidents of the Court of Appeals or the Assistant Prosecutor Generals, by virtue of a presidential decree for a period of four years, or for the period remaining until retirement age, whichever comes first, and only once during a judge's career.</p>
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Other Judicial Bodies

<p>Article 172 The State Council shall be an independent judiciary body and shall have the competence to</p>	<p>Article 174 The State Council is an independent judicial body that exclusively undertakes</p>	<p>Article 190 The State Council is an independent judicial body that is exclusively competent to</p>
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<p>decide in administrative disputes, and disciplinary actions. The law shall determine its other competencies.</p>	<p>adjudicating in administrative disputes and disputes pertaining to the implementation of its decisions. It also undertakes disciplinary proceedings and appeals, adjudicates in legal issues to be determined by law, reviews and drafts bills and resolutions of legislative character referred to it, and reviews contracts to which the State is a party. Other competencies to be determined by law.</p>	<p>adjudicate in administrative disputes, disciplinary cases and appeals, and disputes pertaining to its decisions. It [is] also solely competent to issue opinions on the legal issues of bodies to be determined by law, review and draft bills and resolutions of a legislative character, and review draft contracts to which the state or any public entity is a party. Other competencies are to be determined by law.</p>
<p>Not mentioned</p>	<p>Article 179 State Affairs is an independent judicial body; it undertakes legal representation of the State in disputes, and technical supervision of legal affairs departments within State Administration. It shall be responsible for the drafting of contracts and the settling of disputes to which the State is a party, in the manner regulated by law. Other competencies shall be defined by law. Its members share immunities, securities, rights and duties assigned to other members of the judiciary.</p>	<p>Article 196 The State Cases Authority is an independent judicial body. It undertakes the legal representation of the state in lawsuits and disputes to which the state is party. It may propose settling of disputes at any stage of litigation in accordance with the law. It also conducts technical supervision [of] the cases undertaken by the departments of legal affairs at the state’s administrative body. It authors the draft contracts referred to it by administrative bodies and to which the state is party. The foregoing is organized by law. Its other competencies are defined by law. Its members have all of the securities, rights and duties assigned to other members of the judiciary. Their disciplinary accountability is organized by law.</p>
<p>Not mentioned</p>	<p>Article 180 The Administrative Prosecution is an independent judicial body; it investigates financial and administrative irregularities, raises disciplinary proceedings before the courts of the State</p>	<p>Article 197 The Administrative Prosecution is an independent judicial body. It investigates financial and administrative irregularities, and those referred to it. Regarding these irregularities,</p>

	<p>Council and follows up on them, and takes legal action to address deficiencies in public facilities. Other competencies shall be defined by law. Its members share immunities, securities, rights and duties assigned to other members of the judiciary.</p>	<p>it has the authorities vested in the administration body to inflict disciplinary penalties. Challenging its decisions takes place before the competent disciplinary court at the State Council. It also initiates and conducts proceedings and disciplinary appeals before the State Council courts in accordance with the law. All the foregoing is organized by law. Other competencies are defined by law. Its members share securities, rights and duties assigned to other members of the judiciary. Their disciplinary accountability is organized by law.</p>
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* From the World Intellectual Property Organization’s translation of the [1971 Egyptian constitution](#).