



Embassy of Egypt  
WASHINGTON, DC

## FACT SHEET: A CONSTITUTION FOR ALL EGYPTIANS

Since July 2013, Egypt has been working toward a new, democratic government structure that represents the interests of all its citizens. Last December, the first step was completed. Representatives from across Egyptian society presented acting President Adly Mansour with an amended and improved charter. Next week, through a national referendum, Egyptians will be voting on this historic Constitution which provides Egypt, for the first time, with the foundation for a truly inclusive and accountable political system, a democratically elected Parliament and President, and a new body of law that serves all.

The Constitution was completed through an amending process that was the most transparent and inclusive in Egypt's history. A **ten-person committee of experts**—including judges, jurists, and legal scholars—drafted proposed changes to Egypt's 2012 Constitution which were then debated, amended and approved by a **Committee of 50 representatives** that reflected a broad cross-section of all Egyptian society. Final approval of the entire document was unanimous. Following the transmittal of the draft Constitution are a series of other steps in Egypt's **roadmap** to a stable and enduring democracy:

- A **national referendum on the Constitution** will be held next week on January 14<sup>th</sup> and 15<sup>th</sup>.
- Once the Constitution is approved, either **parliamentary or presidential elections will occur** within ninety days and will be followed promptly by the other election.

The Constitution certifies this roadmap and provides flexibility for the President to set specific milestones in a manner that ensures an organized and peaceful political transition.

The Constitution the Egyptian people will be voting on:

- Subjects the state to ratified international laws and agreements, **including human rights agreements**;
- Ensures the **protection of social welfare, civil liberties and economic rights** as well as rights for the disabled and children;
- Declares a **civilian government** to be the source of leadership and governance for Egypt; and
- Gives **parliament the power to impeach the president** for violating provisions of the Constitution by a two-thirds vote.

This Constitution is the starting point for the establishment of stable and sustainable democratic governance in Egypt. With this framework, elected representatives of the Egyptian people will chart a better future for their constituents.

A popularly elected, civilian government will have the opportunity to build upon the provisions woven into the constitutional process.

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## **New Equality, Democratic Rights in Egypt's New Constitution**

Egypt's previous Constitution did not meet the aspirations of all segments of the Egyptian society. It was developed and passed in a rushed fashion, without the participation of key communities, including secular parties and representatives of the Christian community, who resigned in protest. That Constitution imposed a narrow ideology on Egypt's diverse population, impeded women's rights and restricted civil liberties.

The 2013 Constitution is the product of an improved and fairer process. By ensuring that representatives of every perspective had a seat at the table—from political Islam to youth movements to advocates for gender equality—a Constitution emerged from intense debate, negotiation and compromise that is not only representative but was unanimously approved by members from all ideologies, religions and backgrounds.

Revised articles in Egypt's 2013 Constitution reverse the failures of the 2012 charter in five key areas:

### **Individual Freedoms and Public Opinion**

- Provides equality in rights and freedom for all citizens
- Guarantees freedom of belief and expression for all groups and individuals
- Guarantees the right of assembly
- Ensures the rights of a free and fair press

### **Equal Protection and Rights for All**

- Makes illegal discrimination based on religion, belief, gender, race, language, disability, geography, social class, political affiliation, or for any other reason and establishes an independent commission to enforce such provisions
- Commits the government to achieving equality between women and men and provides additional benefits and privileges for working mothers
- Mandates parliamentary representation of youth, the disabled and Christians
- Prohibits political parties formed on the basis of religion or which possess a military or quasi-military nature
- Allows the legal principles of Egyptian Christians and Jews to remain the main source of laws regulating those groups' personal status, religious affairs, and nomination of spiritual leaders
- Directs parliament to pass a long-awaited law that arranges for the building and rehabilitation of churches in order to preserve, promote and guarantee the right of Christians to practice their religion

### **Social Welfare and Economic Rights**

- Advances social justice through public services including health care, education and employment
- Provides the framework for an economic system aimed at achieving prosperity, raising the standard of living, and eliminating poverty through sustainable development and social justice

### **Government Transparency and Accountability**

- Establishes a political system based on the separation and balance of powers
- Allows Parliament to impeach the President for criminal violations, corruption as well as for violating the articles and principles of the Constitution
- Provides a clear framework for parliamentary amendments to the Constitution
- Protects the rights of NGOs to operate freely

### **Improved Civilian Oversight of Egypt's Military**

- Establishes a committee of government and parliamentary leaders to review, debate and approve the military budget
- Orders Presidential appointment and oversight of the Defense Minister
- Amends the previous constitutions' broad authority to prosecute civilians in military courts to allow such prosecutions only within a well-defined set of crimes that directly harm military assets and/or personnel during the execution of official duties

