



# English Text of the Constitutional Declaration

**The 2012 Constitution was suspended temporarily according to Armed Forces Statement on Wednesday 3<sup>rd</sup> of July, 2013.**

## **CONSTITUTIONAL DECLARATION 6 JULY, 2013**

Constitutional Declaration,

Interim President of the Republic,

Cognizant of the Statement of the General Command of the Armed Forces on 3 July, 2013,

Decided:

### **First Article**

Dissolving the Shura Council.

### **Second Article**

This Declaration shall be published in the Official Gazette and shall be effective as of the date of publishing.

Issued by the Presidency on 5 July, 2013.

Interim President of the Republic

## **CONSTITUTIONAL DECLARATION 8 JULY, 2013**

### **Interim President issues Constitutional Declaration for transitional period**

#### **Text of the Constitutional Declaration**

**The Interim President Counselor Adly Mansour approved the Constitutional Declaration which consists of 33 articles**

#### **The text of the Constitutional Declaration**

Citizens are equal before the law and they are equal in public rights and duties without discrimination on the basis of sex, origin, gender, language, religion or belief and the State shall guarantee equal opportunities for the citizens.

#### **Constitutional Declaration**

##### **The Interim President of the Republic,**

Cognizant of the statement issued by the General Command of the Armed Forces on the 3<sup>rd</sup> of July 2013,

And the Constitutional Declaration issued on the 6<sup>th</sup> of July 2013,

##### **Article 1**

The Arab Republic of Egypt is a State with a democratic system, based on citizenship, and Islam is the religion of the State, the Arabic language is its official language and the principles of Islamic Sharia, which include its overall evidences and jurisprudence rules and established sources in the Sunni canons, is the main source of legislation.

##### **Article 2**

Sovereignty is for the people, and the people practice this sovereignty and protect it. The people are source of all authorities.

### Article 3

The economic system shall be based on social justice.

The payment of taxes and public costs is a duty in accordance with the law.

The introduction, amendment or abrogation of public taxes shall only be by virtue of a relevant law.

No one shall be relieved from the payment of taxes or duties except in the cases provided for in the law.

No one may be required to pay other taxes or duties except within the limits of the law.

### Article 4

Citizens are equal before the law and they are equal in public rights and duties without discrimination on the basis of sex, origin, gender, language, religion or belief.

The State shall guarantee equal opportunities for citizens.

### Article 5

The private lives of citizens shall be protected by law.

Mail correspondences, cables, telephone calls and other means of communication are private, and their confidentiality is guaranteed, and may not be confiscated, viewed or monitored except by virtue of a prior judicial warrant and for a definite period of time and in accordance with the provisions of the law.

### Article 6

Personal freedom is a natural right and it is protected and inviolable. Except in the case of being caught red-handed, no one may be arrested, searched, detained or his/her freedom be restricted in any way or be prevented from movement except by a warrant required by investigation or to maintain the security of society. This warrant will be issued by the competent judge or the General Prosecution, in accordance with the law. The law shall determine the period of custody.

Homes have their privacy and it is not permitted to enter or search them without a justified judicial warrant in accordance with the provisions of the law.

### Article 7

Freedom of opinion is guaranteed, and every person has the right to express his/her opinion and publish it in spoken, written, photographed, or other means of expression within the limits of the law.

The State shall guarantee the freedom of belief and the freedom to practice religious rites.

## **Article 8**

Freedom of the press, printing, publication and all media means are guaranteed, and censorship on press and media outlets is forbidden, as are giving warnings, stopping or canceling them by an administrative channel.

Exception may be made in the case of national emergency or time of war, allowing limited censorship of newspapers, publications, and media outlets on matters related to the purposes of national security, all in accordance with the law.

## **Article 9**

Work is a right, a duty and an honor for every citizen, which the State guarantees based on the principles of equality and justice, and no work may be forcibly imposed except under the law.

## **Article 10**

Citizens have the right of public assembly, convoys and peaceful demonstrations without bearing arms, based on a notice regulated by the law. The right of private assembly is guaranteed without the need for a prior notice. Security forces are not allowed to attend private assemblies.

Citizens have the right of association and the establishment of syndicates, unions and parties as provided for in the law.

The establishment of associations whose activities are hostile to the system of society, secret or of a military nature is prohibited.

No political party is allowed to be established on the basis of the distinction between citizens based on sex, origin and religion. Political parties may not be dissolved except by a court ruling.

## **Article 11**

Public property is protected, and its defense and support is a duty incumbent on every citizen, in accordance with the law.

Private property is safeguarded, and it is not permitted to impose guardianship over it except in the cases provided for in the law and with a court ruling and property cannot be seized except for the public benefit and against a fair compensation all in accordance with the law.

Freedom of opinion is guaranteed, and everyone has the right to express his/her opinion and publish it verbally, in writing, in photography or by other means of expression within the limits of the law.

## **Article 12**

Any violation of the personal freedom or sanctity of life of citizens or other rights and general freedoms, which are guaranteed by the constitution and the law, is a crime, which any criminal and civil claim thereupon will not be null by the statute of limitations, and the State guarantees fair compensation for whoever experiences such a violation.

## **Article 13**

Defending the country and its land is a sacred duty, and conscription is mandatory according to the law. Preserving national unity and keeping the secrets of the State are duties of every citizen.

## **Article 14**

Punishment is personal.

No crime or punishment shall take place except by a relevant law, no punishment shall be made except by a judicial ruling and no punishment shall be made except for acts committed subsequent to the effective date of the relevant law.

## **Article 15**

The rule of law is the basis of governance in the State.

Litigation is a protected and guaranteed right for all people, and every citizen has the right to resort to his/her natural judge.

Any provision in the law on the immunity of any administrative action or decision from judicial supervision shall be prohibited.

## **Article 16**

The judicial authority is independent, and it is vested in the courts of different kinds and degrees and it is not permissible for any authority to interfere in the cases or the affairs of justice.

The judges are independent, and cannot be dismissed, there is no authority over them except that of the law, and it is not permissible for any authority to interfere in the cases or the affairs of justice.

Members of State Lawsuits Authority of and the Administrative Prosecution shall have the guarantees provided for judges.

## **Article 17**

The State Council is an independent judicial body, which is tasked with adjudication of administrative disputes and disciplinary claims. The law specifies its other competences.

## **Article 18**

The Supreme Constitutional Court is an independent and autonomous judicial body, uniquely tasked with judicial supervision over the constitutionality of laws and regulations. It is in charge of interpreting legislative texts, all as stipulated in the law.

The law designates other competences for the Court and regulates the procedures to be followed before it.

## **Article 19**

The military judiciary is an independent judicial body, which is solely tasked with judging in all crimes related to the Armed Forces and their officers and recruits, and the law specifies their other competences.

## **Article 20**

The judicial authorities and bodies shall practice the competences provided for in this Constitutional Declaration and the applicable laws. Amending the laws organizing their affairs shall not be allowed during the period of the validity of this Constitutional Declaration.

## **Article 21**

The Armed Forces are owned by the people, their mission is to protect the country and preserve its security and territorial integrity.

Any individual, authority, entity, or group shall be prohibited from forming military or paramilitary formations, squads or organizations.

The law provides for the conditions of service and promotion in the Armed Forces.

## **Article 22**

A national defense council is to be established and headed by the President of the Republic. It shall consider issues related to means of securing the country and its safety and discussing the Armed Forces 'budget. It shall be consulted in bills related to the Armed Forces.

The law provides for the council lineup and other competences.

## Article 23

The President of the Republic is the Head of State and the executive authority. He shall assert sovereignty of the people and preserving their interests, respect for the law and protection of the national unity and social justice. The President of the Republic shall preserve independence of the homeland and its territorial integrity, observing separation between authorities. The President of the Republic is entitled to take all necessary measures and procedures for protecting the country as provided for in this declaration and the law.

## Article 24

The President of the Republic shall administer the country affairs having the following authorities and competences:

- 1- Legislating after consultation with the ministerial cabinet, legislation authority shall be transferred to the House of Representatives upon election of the President of Republic.
- 2- Approving the general policy of the State and the general budget and monitoring its implementation.
- 3- Representing the State at home and abroad, concluding international treaties and agreements after the approval of the cabinet and they shall have the power of law.
- 4- Naming the prime minister and his deputies, ministers and their deputies and dismissing them.
- 5- Appointing civil servants, servicemen, political representatives and dismissing them as stipulated in the law and accrediting diplomats to foreign countries.
- 6- Declaring war after consultation with the Supreme Council of Armed Forces and the approval of the National Defense Council.
- 7- Pardoning or mitigating punishment, yet comprehensive pardon is only by virtue of the law.
- 8- Other authorities and competences are stated for the President of the Republic by virtue of the laws and regulations. He is entitled to authorize somebody in any of these competences.

## Article 25

The cabinet assumes the following competences in the executive authority:

- 1- Sharing with the President of the Republic in drawing up the general policy of the State and monitoring its implementation in accordance with the laws and republican decrees.
- 2- Directing, coordinating and following up works of the ministries and related entities and public organizations and institutions.

3- Issuing administrative and executive decrees and regulations and monitoring their implementation.

4- Drafting bills and republican decrees.

5- Drafting the State general budget.

6- Drafting the State general plan.

7- Sealing loans and granting them according to provisions of the Constitution.

8- Enforcing laws, preserving State security and interests and protecting the citizens' rights and freedoms.

#### **Article 26**

The Prime Minister shall issue regulations required for enforcing the laws, unless the law assigns somebody to issue the regulations necessary for enforcing it.

The Prime Minister shall issue regulations required for establishing public utilities and organizing them after being approved by the cabinet. In case this adds new financial burdens on the State general budget, the approval of the President of the Republic is a must.

#### **Article 27**

The President of the Republic shall declare the state of emergency as regulated by the law, after the approval of the cabinet.

Declaring the state of emergency shall be for a specific period not exceeding three months, and shall only be extended to the same period of time after the approval of the people in a public referendum.

#### **Article 28**

A legal committee of experts shall be formed, by a presidential decree in a period not exceeding fifteen days from the date of the issuance of this declaration, of two members of the Supreme Constitutional Court and its commissioners' office, two judges, two judges from State Council and four constitutional law professors at Cairo University. The Supreme Council of Judicial Bodies chooses its representatives and the Supreme Council of Universities chooses constitutional law professors.

The committee shall propose amendments to the suspended 2012 Constitution within a period of thirty days from the date of its formation.

The decree on the formation of the committee shall designate venue and regulations of work.



## **Article 29**

The committee stipulated for in the previous article shall submit proposals of constitutional amendments to a 50-member committee representing all categories of society and demographic diversities especially parties, intellectuals, workers, peasants, members of trade unions and qualitative unions, national councils, Al-Azhar, churches, the Armed Forces, the Police and public figures including ten members from the youth and women at least. Each entity nominates its representatives and the cabinet nominates public figures.

The committee shall wrap up the final draft of the constitutional amendments within sixty days at most from the date it receives the proposal during which it is committed to submitting it to societal dialogue.

The President of the Republic shall issue decrees required for the formation and venue of the committee. The committee shall identify work regulations and the procedures guaranteeing societal dialogue on the amendments.

## **Article 30**

The President of the Republic shall submit the draft of the constitutional amendments to public referendum within thirty days of the date he receives it. Amendments shall be effective as of the date of announcing the people's approval in the referendum. The President of the Republic shall call for electing the House of Representatives within fifteen days of this date to hold elections in a period not less than a month and not exceeding two months, and the call for holding presidential election should be within a week at most of the first convening of the House of Representatives.

The Supreme Committee for Elections shall have full supervision on the referendum.

## **Article 31**

The laws shall be published in the Official Gazette within a week from the date of issuance, to be effective after a month from the following date of issuance, unless another date is fixed.

## **Article 32**

All provisions stated by the laws and regulations and issued before this constitutional declaration shall remain valid and effective, however these provisions may be abrogated or amended in accordance with the rules and procedures stipulated in this declaration.

## **Article 33**

This declaration shall be published in the Official Gazette, effective as of the following day of the date of issuance.