

PRESS RELEASE

Egypt: Constitution must protect freedom of expression and the right to demonstrate peacefully

ARTICLE 19

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ARTICLE 19 warns that more work needs to be done to ensure that the Egyptian constitution protects fundamental human rights. The call comes on the day that ARTICLE 19 publishes a legal analysis of the draft amendments, detailing twenty nine specific recommendations to improve the document.

The draft amendments, proposed by an expert committee of the interim government, fail to provide sufficient protection for media freedom; do not go far enough to safeguard the right to peaceful protest; and do not establish equality as a founding principle of the constitution.

ARTICLE 19 urges Egypt's interim government to take action to address shortcomings in the draft amendments to the 2012 constitution.

“Egypt must design a constitution that protects fundamental human rights and freedoms, including the right to freedom of expression and the right for everyone to demonstrate peacefully. The current draft amendments do not go far enough” said Thomas Hughes, Executive Director of ARTICLE 19.

ARTICLE 19 believes the preamble of the draft constitution should guarantee the universality of human rights for all people, regardless of their citizenship status or religious belief. The fundamental rights and freedoms protected by the constitution must include: the right to equality; freedom of expression (including media freedom); the right of access to information; and the right for people to organise and participate in peaceful protests.

The draft amendments are currently being considered by a 50-member assembly, which is expected to present its own amendments before the end of

the year.

“The assembly must now work hard to ensure there is an inclusive public debate about the proposals to amend the constitution. This requires engaging with the widest possible range of social and political groups in the country, including women and young people, and order that they are given the opportunity to express their views” added Hughes.

“A meaningful public debate about the proposed changes to the constitution should be an opportunity for public education about fundamental human rights, and that should include discussions about respecting freedom of expression, tolerance for peaceful protest and the non-violent resolution of political conflicts” said Hughes.

ARTICLE 19’s recommendations include:

- The right to freedom of expression in the constitution should encompass the right to seek, receive and impart information and ideas of all kinds, regardless of frontiers, and consideration should be given to freedom of expression through digital communication.
- The right to organise and participate in peaceful assemblies should not be restricted on the basis of citizenship status and any notification requirements for the exercise of this right must comply with international legal standards.
- Media freedom should be protected by specifically prohibiting prior censorship; licensing or registration systems for the print media; or licensing of individual journalists or entry requirements for practising the profession. The independence of all regulatory powers over the media (including public media) should be guaranteed - as well as the right of journalists to protect their confidential sources and their freedom to associate in professional bodies of their choice.
- All people should have the right of access to information, regardless of their citizenship status. This right should apply to all information held by public and private bodies, where that information is required for the exercise or protection of fundamental human rights. The constitution should also recognise the principle of maximum disclosure, including the obligation of public bodies to proactively disclose information.

- Equality should be guaranteed for all people; regardless of citizenship status, nationality, race, ethnicity, political views, sexual orientation or gender. It is vital that the constitution does not promote harmful gender-based stereotypes and it should explicitly state the State's obligation to eliminate all prejudice.
- The constitution should not establish a State religion or privilege one religious legal system, including Sharia, over any other. All references to any specific religious beliefs should only be symbolic and confined to the preamble.

[Read the legal analysis in full here](#)