

In the Name of God the Merciful and Benevolent

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Constitutional Committee Rules of Procedure

Prepared pursuant to Article 29 of the Constitutional Declaration dated 8 July 2013

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The Fifty-Member Committee for the Final Drafting of the Constitutional Amendments

Committee President's Decree # 4/2013

The President of the Committee

After reviewing

- The Constitutional Declaration issued on 8/7/2013; and
- Presidential Decree # 570/2013

And upon the final approval of the Fifty-Member Committee in its meeting of 11/9/2013,

Has hereby decreed

(Article I)

The provisions of the attached Rules of Procedures for regulating the proceedings of the Fifty-Member Committee for the Final Drafting of the Constitutional Amendments come into force.

(Article II)

This Decree is published in the Egyptian Chronicles.

Issued on 11/9/2013

Committee President

Amr Moussa

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Rules of Procedure of the 50-member Committee

For the Final Drafting of the Constitutional Amendments

Article 1 – Composition¹

The Constituent Committee is composed of the main and reserve members as per the Presidential Decree #570/2013. Reserve members participate in the Committee's deliberations and ad hoc committees without having the right to vote.

Article 2 – Reserve Composition

In case a main member withdraws or an impediment arises that prevents him from maintaining their membership, the reserve member replaces him as specified in the Presidential Decree #570/2013. Should such member be a public figure, the order mentioned in the said Decree is considered.

Article 3 – Premises

The Constituent Committee holds its sessions in the premises of the Shura Council, and has a technical secretariat to be composed by a decree of the Secretary General of the Shura Council to assist the Committee in its actions and in upholding its resolutions.

Article 4 – Non-voting Members

Members of the 10 member Expert Panel participate in the proceedings, ad hoc committees and deliberations of the Constituent Committee without having the right to vote.

Article 5 – Quorum

The Constituent Committee's sessions are convened in the presence of the absolute majority of its members: half + one. Such quorum must exist when passing resolutions. The Constituent Committee issues its resolutions on procedural matters with the majority of the present members who have the right to vote. Its resolutions pertaining to the provisions of the Constitution are issued by consensus. In case of disagreement, deliberations are postponed for 24 hours, then, the matter is presented to the Committee to take the final decision. In case no consensus is reached on any of the provisions of the Constitution, decision is made with a 75%-majority of the members who have the right to vote.

¹ Titles for each article have been included by International IDEA in this translation solely for ease of reference. The article titles are not to be attributed to the authors of this text and should not be used to inform interpretation.

Article 6 – Voluntary work

Membership of the Constituent Committee is a voluntary work entailing no privileges for any member. Employed members may be fully devoted for the Committee work without harming their financial or professional rights in their workplaces.

Committee Administration

Article 7 – Administration

The Constituent Committee is presided over by the most senior member in the first session. The Committee selects its president, a number of deputies, a general rapporteur, and a number of assisting rapporteurs, if need be.

Article 8 – Competencies of the President

The Committee President represents the committee, legally acts on its behalf, presides over its sessions, calls it into session, and supervises the sound conduct of its proceedings. In case of his absence, the most senior deputy replaces him.

Article 9 – Spokesperson

The Constituent Committee chooses a member as an official spokesperson to preside over its media office. The spokesperson has the right to talk on the Committee's behalf, and make press statements or holds media interviews on the Committee's behalf. The media office is responsible for facilitating matters for press and media persons to do their job. The Constituent Committee's members are forbidden from speaking in its name to the media or any other gathering. This does not breach their duty towards social communication or their right in expressing their personal opinions in relation to the proposed constitutional provisions.

Article 10 – Session Broadcasts

The Committee's sessions are recorded in audio and video. Panel sessions are broadcast live on air, unless otherwise decided by the Committee for (a) specific session(s). Ad hoc committee sessions may be broadcasted live on air or after their recording upon the approval of the Committee's President or the Office Board.

Article 11 – Office Board

The Committee's Office Board is composed of the President, Deputies, General Rapporteur, Rapporteurs of the ad hoc committees, the Spokesperson, and the Secretary General of the Shura Council. The Board is responsible for setting the agenda for each session and following up work in the Constituent Committee and ad hoc committees.

Article 12 – Ad Hoc Committees

The Constituent Committee composes ad hoc committees as follows:

1. Social Dialogue, Communication and Proposals Committee

2. State and Principal Characteristics Committee
3. Rights and Freedoms Committee
4. System of Government and Public Authorities Committee
5. Drafting Committee

The Office Board may suggest to the Constituent Committee to create other ad hoc committees. One may be member in more than one committee.

Each ad hoc committee chooses a rapporteur and assistant rapporteur to run its meetings, coordinate its proceedings, and arrange its activities.

Article 13 – References

The draft of the 10-Expert Panel is the basis of the Committee’s work. The Committee may refer to the provisions of the successive Egyptian constitutions, especially the 1923 Constitution, 1954 Draft Constitution, 1971 Constitution, the suspended 2012 Constitution, and others, for consideration when drafting the new constitutional provisions.

Article 14 – External Experts

The Constituent Committee may resort to experts in its work, and may compose technical expert committees to help it to this end.

Article 15 – Public outreach

The Committee for Social Dialogue and Communication is responsible for opinion surveys and receiving proposals from agencies, institutions and civil society organizations in relation to the Committee’s work and ad hoc committees. It may hold hearings on certain matters upon its discretion or upon request from the relevant ad hoc committee.

Article 16 – Disagreements

Ad hoc committees exercise their functions in consensus. Should there be any disagreement, it is resolved by a majority vote of the present members on procedural matters, and by a 75%-vote otherwise, provided that an absolute majority of votes is present at voting. In all cases, a summary of the disagreement and a presentation of the results of voting are reported to the Constituent Committee and its Office Board.

Article 17 – Final Draft

A committee is composed for final review and drafting of the provisions proposed by the members of the 10-Expert Panel and Constituent Committee members in charge of the drafting. The final draft is presented to the Constituent Committee for approval in preparation of its referral to the President of the Republic for a public referendum.

Article 18 – Duration

The Committee’s duration is sixty working days, excluding official holidays, starting as of the date of its first session.

Article 19 – Amendments

The President of the Constituent Committee or the General Rapporteur, upon approval of the Office Board, or five members having the right to vote may request the amendment of one or more provisions of the present Rules of Procedures. Such amendment does not apply unless approved by the majority of members.

Article 20 – Final Provisions

These Rules of Procedures are issued by the approval of the majority of the Constituent Committee members, come into force as of the date of their issuance, and are published in the Egyptian Chronicles as per established rules.

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