

NDI EGYPT PRELIMINARY ELECTION STATEMENT DECEMBER 16, 2011



I. EXECUTIVE SUMMARY

Voting in region two for the Egyptian People’s Assembly was marked by continued enthusiasm on the part of Egyptians to select the candidates and parties of their choice. The National Democratic Institute’s (NDI’s) delegation for this phase of the electoral process also noted that judges serving as presiding officers carried out their duties impartially and efficiently.

On Dec. 14 and 15, 18.7 million eligible voters in the governorates of Giza, Manoufiya, Beheira, Suez, Ismailiya, Sohag, Aswan, Sharqiya and Beni Suef were invited to cast their ballots in the second phase of the electoral process. There were 180 seats being contested by 3,387 candidates – 2,271 individual candidates and 1,116 candidates on party lists.

Observations from NDI’s 32 long- and short-term “witnesses”¹ indicate that significant improvements in the logistical aspects of election administration have been made since the first phase of voting was concluded. Although some polling stations failed to open on time, far fewer saw delays and the wait was usually less than one hour. Lines outside the polling centers were reduced, although they were still noticeable in some areas – especially at polling centers hosting 10 or more polling stations. Voting in three districts for party list candidates will be delayed until Dec. 21 and 22 because of the last minute adjudication of several complaints regarding candidate qualifications and eligibility.

The slow processing of voters in a number of polling stations was largely attributable to the time it took individual voters to locate their polling station in centers with multiple units and the numerical position of their names on lengthy voter lists, as well as voters' unfamiliarity with the ballot design and uncertainty over the large number of ballot choices, especially on the individual candidate lists.

¹ The Arabic word normally used for observer, “*Murakeb*,” has a connotation in Egypt that suggests active supervision rather than simply watching or observing. Instead, the term “*Mutaba*” is used, which translates to “witness” or “follow.” Since witness and observe are synonymous in English, and the activities of the NDI delegates called witnesses were largely indistinguishable from the activities of a typical observer delegation, the terms will be used interchangeably in this report.

NDI observers also reported fewer instances of polling station staff and party agents assisting voters and less campaigning by political parties and candidates at the polling stations, although both practices were still prevalent in some areas. Party agents were not readily recognizable, and in some cases were indistinguishable from polling officials.

Several NDI observers reported extremely chaotic counting center intake procedures with large crowds often slowing or impeding the unloading of ballot boxes. Several judges complained of the additional logistical burdens, physical insecurity and even violence involved in the centralized counting process. They expressed a clear preference for the tabulation of ballots inside the polling station in which they are cast. Counting centers with staggered and well-organized procedures governing the transfer of ballot boxes seemed to operate more efficiently.

On the basis of pre-election, region one and region two election-day findings, NDI's delegation respectfully recommends that the government of Egypt and the Supreme Judicial Committee for Elections (SJCE) consider implementing the following changes for region three voting:

- Explore all possible avenues to allow for the possibility of counting the ballots for round three initial voting in the polling stations in which they are cast.
- Publish the candidate and party lists as soon as possible to ensure that parties and candidates have time for the filing and adjudication of any ballot-related complaints prior to the printing of ballots so that voters are given accurate voting materials.
- Post the voters list inside each polling center and consider placing SJCE-monitored non-partisan voter information desks inside each polling center to facilitate the voter check-in process.
- Post sample ballots outside polling stations to help voters identify the candidates and parties of their choice.
- Issue identification badges to accredited party agents to increase their visibility and further discourage them from assisting voters with balloting.

Subsequent NDI reports will address long-term and systemic issues and contain further recommendations. The delegation wishes to thank the Ministry of Foreign Affairs, the SJCE, judicial supervisors throughout the country, as well as the Egyptian people who welcomed and assisted the NDI mission.

II. BACKGROUND

NDI's international election observer delegation to Egypt's region two People's Assembly elections on Dec. 14 and 15, offers this preliminary statement. As noted in the region one statement, the vote represents an important step in the country's political transition following the citizen-led uprising that ousted the regime of Hosni Mubarak on Feb. 11, 2011. The new body will determine the composition of the next government and lay the foundation for the country's post-revolution constitution.

During this second stage of the People's Assembly elections, NDI fielded 32 accredited observers from 15 countries and territories who deployed throughout the nine governorates. Additionally, 12 long-term delegates will stay through the entire election period to observe the

pre- and post-election periods for the third phase of voting. The mission's objective is to witness impartially every aspect of the election process – including the campaign, the casting and counting of ballots, and the post-election period. The delegation also serves to demonstrate the interest of the international community in the development of a democratic political process in Egypt.

The delegation to the region two elections was co-led by Janusz Onyszkiewicz, former minister of defense of Poland, who helped oversee his country's transition to democracy; Robin Carnahan, secretary of state and election administrator for the State of Missouri; James Steinberg, former deputy secretary of state in the U.S. Department of State; and the Hon. Lena Maryana Mukti, a former member of parliament from Indonesia.

Prior to the election, the delegation met with senior government and election officials, political party representatives, candidates, citizen election monitors, civil society leaders and representatives of traditional and new media. During the region two elections, the delegation visited more than 256 polling stations (some of which included up to three separate polling units supervised by one judge) in nine governorates. NDI conducted its activities in accordance with the laws of Egypt and the [Declaration of Principles for International Election Observation](#), which is endorsed by 39 intergovernmental and nongovernmental organizations and was launched at the United Nations in 2005.

The delegation recognizes that it is still early in the election period and that votes are still being tallied, results have not yet been officially announced, and election complaints and challenges that may be lodged will need to be resolved in accordance with the rule of law. It is therefore not the intention of the delegation to render a complete or definitive assessment of the election process at this time. Indeed, it is the people of Egypt who, as citizens and voters, will determine the credibility of this election and their significance for ongoing democratic processes. Further statements may be released after the subsequent rounds of voting and run-offs, and a final report will follow after the entire election process is completed in January 2012.

NDI's international election observation mission in Egypt is funded by a grant from the U.S. Agency for International Development (USAID). NDI programs in Egypt are also supported by the Bureau of Democracy, Human Rights and Labor of the U.S. Department of State.

III. OBSERVATIONS

Pre-Election and Campaign Period

Electoral system. Delays in the release of the final candidate and party lists for the region two elections left insufficient time for candidates and parties to file complaints contesting their exclusion or to request amendments regarding their placement on the ballot or their qualification as professionals, farmers or workers. The adjudication of several appeals was completed after the ballots were printed and necessitated the postponement of the closed party list elections in Beheira, Manoufiya, and Sohag. These elections will now take place during the region two run-offs for individual candidate races on Dec. 21 and 22. Since voter turnout during run-off elections is traditionally lower than on the original election day, this may result in lower turnout

for the proportional list votes that could in turn negatively impact a party's ability to qualify for the national threshold of 0.5 percent.

Voter education. While efforts have been made to educate voters about their electoral choices, there are significant numbers of voters who have been confused by the array of party and candidate choices. Political parties must do a better job of informing voters of their platforms and candidates, and educate voters on how to identify parties by symbol or placement on the ballot. The need for more voter outreach is also true for individual candidates, and it is particularly important to provide this information in ways that do not disadvantage illiterate voters.

Voters themselves have a responsibility to seek information about the political parties and candidates running for parliament. Election officials should augment party and candidate outreach by posting sample ballots outside polling stations so voters can familiarize themselves with candidates, parties and their symbols (as was the case in some stations visited by NDI delegates).

Election Day

Electoral infrastructure. The physical space limitations in polling centers and stations noted during region one voting remained a problem, and in many cases were worse than during phase one. Observers noted that space constraints were especially problematic in several large female-only voting centers in Giza that grouped a dozen or more polling stations in one location. This concentration led to long queues and bottlenecks at polling center entrances where voters became agitated, though still determined to vote. Space constraints inside polling stations, often exacerbated by the numbers of poll workers that in some places exceeded the legally required number, in many instances compromised secrecy of the ballot as there was no place to mark a ballot privately. Nearly every polling station NDI visited had all the required materials, and voting booths were present in most locations. An increased number of polling station staff were identifiable because they wore their official vests.

Polling station management. Despite long hours and often inadequate facilities, election officials largely carried out their duties in a professional and neutral manner, though observers noted a lack of standardization in voting procedures from one station to another. There were significantly fewer reports of campaigning taking place inside the polling center, and judges took a more active role in keeping the voting space free of electioneering. In some but not all polling stations visited by delegates, there were more female polling station workers assisting with the identification of female voters wearing the full-face veil or "niqab" than during the region one voting process, although this was not uniformly performed in all polling stations. A few polling stations visited by NDI observers conducted ballot reconciliation at the start or end of each voting day.

In a positive development, NDI observers noted that some of the polling centers established information stands or posted the voter list on walls to help voters find their polling station and number on the list. These measures reduced voters' reliance on parties and candidates to obtain this information.

Voter turnout and participation. Voting was conducted in a mostly peaceful and orderly manner. Even where long lines were observed, voters showed determination, patience and enthusiasm in casting their ballots. Observers commented on high turnout among female voters.

Assisted voting. NDI observers saw fewer instances of assisted voting by judges and poll workers compared to region one. This is a noticeable improvement from the first round, where this phenomenon was commonly observed. While voters often requested assistance and guidance from judges and polling station staff on how to mark their ballots or locate their preferred party and candidates, judges generally encouraged voters to make the choice themselves -- even when it took significantly more time to do so. In several cases, judges intervened to stop party and candidate agents from directing voters.

International and domestic observation. Observers reported having easier access to polling stations in the second round of voting. There were several instances where observers were denied access or asked to leave within a few minutes. In some governorates, polling officials refused to answer questions about the electoral process. Observers saw more domestic election observers present during region two voting, although there were still many polling stations in which no monitors were present. Some teams received complaints from domestic observers who indicated they had been denied access due to space constraints.

Party poll watchers. Party and candidate agents were present in most polling stations observed. However, while some stations had representatives from different parties and candidates, there were instances when only one party was represented. These agents lacked visible identification and were difficult to distinguish from polling officials in many stations.

Counting. Witnesses were able to follow ballot boxes to the counting centers, but denied access to the counting process due to the chaotic atmosphere and large crowds that gathered as the ballots were being delivered. Many observers described a frenzied and occasionally dangerous environment at the counting centers, as ballot boxes were being unloaded and transferred inside with security forces often having to physically restrain the crowds. Observers who were allowed inside the counting centers reported a wide variance in intake and counting procedures, but most were not able to view the actual sorting and tabulation of ballots due to the distance of the areas set aside for observation. Counting centers with staggered and clearly defined intake procedures seemed to operate more smoothly and efficiently. Several judges complained of the additional logistical burdens, physical insecurity and even violence involved in the centralized counting process and expressed a clear preference for the tabulation of ballots inside polling stations.

Security. Security officials contributed to maintaining order in and around polling centers. This was critical at the beginning and end of each voting day, when large crowds of voters were present. Most adhered to their mandated role and respected the authority of the judges. However, compared to region one voting, NDI delegates reported a more frequent presence of security personnel inside polling stations and several instances where military personnel were observed serving in a supervisory capacity or explaining the process to voters.

IV. RECOMMENDATIONS

On the basis of pre-election, region one and region two election-day findings, NDI's delegation respectfully recommends that the government of Egypt and the SJCE consider implementing the following changes for phase three voting:

- Explore all possible avenues to allow for the possibility of counting the ballots for round three initial voting in the polling stations in which they are cast.
- Publish the candidate and party lists as soon as possible to ensure that parties and candidates have time for the filing and adjudication of any ballot-related complaints prior to the printing of ballots so that voters are given accurate voting materials.
- Post the voters list inside each polling center and consider placing SJCE-monitored non-partisan voter information desks inside each polling center to facilitate the voter check-in process.
- Post sample ballots outside polling stations to help voters identify the candidates and parties of their choice.
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Subsequent NDI reports will address long-term and systemic issues and contain further recommendations.

V. THE DELEGATION AND INTERNATIONAL OBSERVATION

An accurate and complete assessment of any election must take into account all aspects of the process, and no election can be viewed in isolation from the political context in which it takes place. Among the factors that must be considered are: the legal framework for the election, including electoral and related laws; the ability of citizens to seek and receive sufficient and accurate information upon which to make political choices; the ability of political competitors to organize and reach out to citizens in order to win their support; the conduct of the mass media in providing coverage of parties, candidates and issues; the freedom that citizens and political competitors have to engage in the political and electoral process without fear of intimidation, violence or retribution for their choices; the conduct of the voting, counting, results tabulation, transmission and announcement of results; the handling of election complaints; and the installation to office of those duly elected. It should also be noted that no electoral framework is perfect, and all electoral and political processes experience challenges.

International election observation has become widely accepted by countries around the world and it now plays an important role in informing citizens and the international community about the nature of each country's electoral process. International election observation, when done in accordance with accepted principles for impartial assessments, seeks to enhance the integrity of election processes by encouraging best electoral practices and deterring misconduct, as well as by identifying problems and irregularities, which can lead to effective redress.

International election observers are welcomed by countries in all stages of democratic development. The mission builds on NDI's 25 years of experience observing more than 200

elections around the world, including delegations in Morocco, Jordan, Lebanon, the West Bank and Gaza, and Yemen. NDI conducts its election observation in accordance with the [Declaration of Principles for International Election Observation](#), which is endorsed by 39 intergovernmental and nongovernmental organizations, including the United Nations Secretariat.

The delegation is grateful for the welcome and cooperation it received from voters, election officials, candidates, political party leaders, domestic election observers, civic activists and interim government officials. NDI was officially accredited to conduct an international election delegation by the SJCE. The delegation offers this election statement in the spirit of supporting and strengthening democratic institutions in Egypt.

VI. NDI IN EGYPT

NDI is a nonprofit, nonpartisan organization working to support and strengthen democratic institutions worldwide through citizen participation, openness, and accountability in government. NDI has worked with Egyptian democratic activists since 1999 and opened an office in Egypt in 2005. NDI programs seek to provide comparative experience from other democratic transitions, help strengthen political parties, improve the transparency of the election system, and encourage civil society groups to participate in the political and policy process.

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