



**FOR IMMEDIATE RELEASE**

May 29, 2014

**CONTACT**

In Cairo, Cherif Barakat

+201223410874

cbarakat@democracyinternational.com

**DISREGARD FOR EGYPTIANS' RIGHTS AND FREEDOMS  
PREVENTS GENUINE, DEMOCRATIC PRESIDENTIAL ELECTION**

**Cairo, May 29** – U.S.-based Democracy International today announced the preliminary findings of its observation of Egypt's recent presidential election. After Egypt's constitutional referendum process, Democracy International called for the interim government to end repression and support a more inclusive political environment before subsequent elections. Unfortunately, although Egypt's constitution guarantees freedom of speech and association, continued suppression of political dissent and restrictions on fundamental freedoms have prevented free political participation and severely compromised the broader electoral environment.

"Egypt's repressive political environment made a genuinely democratic presidential election impossible," said Eric Bjornlund, president of Democracy International. "Democratic progress cannot be achieved at the expense of human rights. The Egyptian government should take immediate action to open political space and put an end to the political exclusion and intimidation that have characterized this process."

Citizen enthusiasm was dampened by the widespread perception that this election was not meaningful and that its results were predetermined. Throughout this election process, both state and private media have engaged in a relentless campaign to bolster turnout, often equating abstention with treason and stigmatizing those with opinions differing from the state narrative. DI found no impediments to voting that would justify the decision of the Presidential Election Commission late on the second election day to extend voting for a third day. As Democracy International said in a statement on May 28, last-minute decisions about important election procedures, such as the decision to extend polling by an additional day, should be made only in extraordinary circumstances.

Meaningful political progress in Egypt will depend in part on the willingness and ability of opposing political forces to participate peacefully in a political process. The new president and government should seek opportunities to engage its opponents in dialogue, including those currently excluded from the political sphere.

Since the events of summer 2013, Egypt has pursued a transitional roadmap without regard for basic political rights. If Egypt continues on this trajectory, it will further entrench the polarization of Egyptian society. Genuine democracy is the only path to long-term stability. For Egypt to move forward, its leaders will need to use the coming days as an opportunity to embrace political inclusion and to reorient the country toward broad respect for human rights and effective, democratic institutions that are viewed across the society as legitimate.

## **DEMOCRACY INTERNATIONAL**

### **OBSERVATION MISSION TO PRESIDENTIAL ELECTION IN EGYPT**

#### **Preliminary Post-Election Statement May 29, 2014**

The following statement details the preliminary findings of Democracy International's election observation mission to Egypt's 2014 presidential election.

#### **About the DI Election Observation Mission**

Democracy International (DI) established an election observation mission in Egypt in December 2013 and deployed the largest international mission to observe the constitutional referendum in January 2014. DI issued a preliminary statement about the referendum process on January 17 and a comprehensive report on the process in April.

With accreditation from the Presidential Electoral Commission of Egypt (PEC), DI initiated efforts to observe the presidential election process in April with the redeployment of its core team to observe the political context and the preparations for the election. DI deployed 12 medium-term observers around the country in early May and a total of 86 accredited international observers from 17 countries to 25 of the country's 27 governorates for the balloting.

Over the past weeks and months, DI's representatives have held numerous meetings with a range of relevant stakeholders, including the PEC and other entities responsible for the administration of the election process, government officials, diverse political parties and social movements, and civil society organizations including groups monitoring the election process, as well as diplomats, international election observation organizations, and others from the international community. The DI election observation mission thanks the PEC for its cooperation and assistance.

Democracy International is a signatory to the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers and has conducted its mission in accordance with these principles, which provide, among other things, that election observers must be independent and impartial, uphold the values of democratic government, and respect the national sovereignty of the host country. In accordance with the Declaration of Principles, DI has observed all phases of the election process, including the legal context and political environment for the election and the procedures for the balloting and counting on the election days. In accordance with Article 11 of the Declaration of Principles, the decision to conduct international observation of the election does not imply, and should not be perceived as, an endorsement of the credibility or legitimacy of that process.

As it did for the constitutional referendum, DI's election observation mission has used an innovative process to collect information from around the country on polling days. DI's observer teams used handheld tablets to record their observations through an open-source mobile data-collection platform and to transmit that information via 3G and wifi connections. This has enabled DI's observation mission to receive information from teams deployed in the field virtually in real time. This data-collection method enabled the mission to analyze observers' findings more quickly and comprehensively than has been possible in the past.

DI will continue to observe the post-election process, through and after the announcement of the election results. In addition to this preliminary statement, the mission will issue a comprehensive report detailing its findings on the entire presidential election process in the coming weeks.

### **The Campaign Environment**

Democracy International has serious concerns about the repressive political environment in which this election took place. A robust electoral process requires freedom of assembly and association as well as the right to peacefully express diverse political views. Although Egypt's constitution provides for these rights and freedoms, suppression of dissent has severely compromised the broader electoral environment and undermined possibilities for free political participation.

Specifically, the protest law adopted in November 2013 severely restricts public gatherings through burdensome notice and permission requirements and disproportionate penalties that have curbed peaceful public assembly and expression. Selective application of the law, systematic suppression of opposition protests, and rapid escalation of force by security forces have discouraged participation in the political process.

For many government opponents today, there exists a climate of pessimism, self-censorship, and fear. Arrests and convictions of journalists, political activists, and students as well as the banning of political organizations have suppressed dissenting voices. Political activists, arrested during the referendum process for campaigning against the adoption of the constitution, remain in jail. The April 6 Youth Movement, a key force in the protests that led to the end of the Mubarak regime, was banned based on charges of espionage and damaging Egypt's image. Hundreds of Islamist defendants in two separate cases received recommendations of death sentences in brief court proceedings lacking any semblance of due process of law. These cases send a message to all Egyptians that affiliation with dissenting political parties, youth movements, and political Islam subjects citizens to the risk of severe criminal penalties or worse.

In comparison to the virtually non-existent and heavily suppressed "No" campaign from the constitutional referendum, the campaign of Hamdeen Sabahi appeared to have more political space to campaign, better access to the media, and more visibility throughout the country. Since the referendum, however, the space for genuine opposition in the broader society has continued to narrow amid deteriorating political rights and ongoing repression of dissenting voices.

### **Media Coverage and Media Access**

Egyptian media coverage of the election process strongly favored Abdel Fattah El-Sisi. During the campaign period, state-run media are said to have given equal interview airtime to both candidates, but the approach and discourse applied to each candidate differed significantly. Both state and private media engaged in a relentless campaign to bolster turnout in favor of Sisi, often equating abstention with treason and stigmatizing those with opinions differing from the state narrative. This prevented open discussion and debate about the election.

### **Domestic Election Observation and the Climate for Civil Society**

Independent domestic election observation can provide a check on the possibility of fraud and build public confidence in the process. The PEC reports that it accredited 81 domestic

observer groups to observe the presidential election. In contrast to the referendum, the more prominent domestic observer organizations reported receiving a considerably larger proportion of the individual observer registrations for which they applied, and DI observers encountered more domestic observers at the polls. Nevertheless, many groups complained about a short application submission timeline, burdensome procedures, and strict application criteria for accreditation of their observers. Domestic observer groups, including Ibn Khaldoun, the Egyptian Organization for Human Rights, the Egyptian Association for Public Monitoring and Human Rights (Shayfeencom), and One World, reported that their accredited observers were denied access to many polling stations. Some also reported they were denied access to the third day of polling and were told their badges were only good for the first two days.

More generally, DI is concerned about a deteriorating environment for civil society. Many human rights groups describe a climate of fear. Self-censorship is muting once-active voices, leading many to develop an overly measured and cautious approach to their work. This has harmed the ability of civil society organizations to provide alternative voices and serve as a check on government power, which is vital to a functioning democracy.

### **International Observation**

Although the PEC accredited international election observers and seemed to recognize their importance, observers' access to the process was not fully assured. Before the election, for example, the PEC rejected the applications of two DI proposed international observers without explanation. On the election days, DI observers had difficulty gaining access to, or had limited access to, some polling places. Although judges and security officials have the right to check observers' credentials, there were many instances where the process of verifying documents took several minutes, during which observers were not allowed entry to polling stations. In some cases DI observers were limited to five minutes in polling stations, and in several other cases DI observers were denied access to polling locations altogether.

PEC regulations limit polling station visits of observers to 30 minutes or less, which DI observers found to be more consistently enforced than was the case for the constitutional referendum. DI believes that this regulation is inconsistent with the Declaration of Principles on International Election Observation and that strict enforcement of this regulation could inhibit the ability of observers to perform their duties.

### **Election Administration and Voter Education**

As compared to the referendum, the election authorities provided better resources to explain electoral procedures for the presidential election, including by developing a clear, illustrated set of guidelines covering voting and counting procedures. The PEC's useful website (in Arabic and English) provided frequently updated information and materials on laws and regulations, among other topics. Election officials and others, however, still need to do more to inform and educate voters, given reported confusion regarding the process for registering and voting outside of home governorates (*wafideen* voting).

The division of responsibilities for electoral administration and management among different governmental entities complicates electoral administration and hampers the election commission's ability to control the process and effectively plan for electoral events.

The presidential election law maintains the PEC's immunity from appeals of its decisions to an independent tribunal, a controversial provision that also existed in the election law in force

in 2012. Under international standards, candidates, parties, or others should be able to appeal decisions or actions of an election management body to an independent tribunal.

### **Military and Police Presence in Polling Stations**

DI observers reported a significant number of instances of police and military officials as well as unidentified plainclothed armed personnel entering and remaining within polling stations during the voting process. This was particularly troubling in this election, where one candidate was perceived as strongly supported by the military. The police and military share responsibility for securing electoral sites and are generally stationed outside polling centers; they are also often within polling centers but outside polling stations. In accordance with the law, a polling station judge may invite members of the police and military inside a polling station when needed. Otherwise, police and military officials must remain outside of polling stations. The highly visible presence of armed security officials within polling stations may, even inadvertently, create an intimidating environment for voters as well as for election officials, campaign representatives, and observers present in the polling station.

### **Extension of Polling**

The PEC's decision late on the second day of the election to extend voting in the presidential election for a third day did not appear to be justified. DI observers across the country reported no impediments to voting during the first two days of balloting that would necessitate an additional day. Last-minute decisions about important election procedures, such as a decision to extend polling by an additional day, should be made only in extraordinary circumstances.

In addition to extending voting to a third day and creating other incentives to encourage voting, such as suddenly declaring a state holiday on the second election day, some public officials threatened to enforce an onerous fine (500 Egyptian pounds or US \$70) against those who failed to vote without a valid excuse. Although compulsory voting has been a feature of Egyptian electoral law for many years, fines for failure to vote appear to have rarely if ever been enforced in the past. These threats appeared intended to intimidate citizens into voting, even if they did not wish to do so.

### **Parliamentary Elections**

The new government should use upcoming parliamentary elections as an opportunity to actively encourage opposition parties and movements to freely engage in the political process. This must begin by ensuring that the forthcoming parliamentary election law is developed on the basis of broad consultation, protects core political rights enshrined in the constitution, and serves to promote effective political parties and a vibrant legislative branch. The electoral law should specify an effective, transparent, and fair process for addressing electoral complaints that provides for appeal of decisions of the election commission to an impartial tribunal. Likewise, the new government must commit to the law's fair and impartial implementation.

Meaningful political progress in Egypt will depend in part on the willingness of opposing political forces to participate peacefully in a political process. The government and its opponents should seek opportunities to engage in inclusive dialogue that could help bring about broader participation in the political process, including in upcoming parliamentary elections. Representation of a broad range of political parties in the new parliament, including those currently excluded from the political sphere, would ensure the inclusion of dissenting and marginalized voices within society and provide a counterbalance to strong executive and judicial branches.

## **Toward a More Inclusive, Stable, Democratic Egypt**

Since the events of summer 2013, Egypt has pursued a transitional roadmap without regard for basic political rights. If Egypt's new government continues on this trajectory, it will further entrench the polarization of Egyptian society. Genuine democracy is the only path to long-term stability. For Egypt to move forward, its leaders need to use the coming days as an opportunity to embrace political inclusion and to reorient the country toward broad respect for human rights and effective, democratic institutions that are viewed across the society as legitimate.

###

*U.S.-based Democracy International (DI) provides analytical services, technical assistance, and project implementation for democracy and governance programs worldwide. Since its founding in 2003, DI has worked in 70 countries and has conducted election observation missions and election-assistance programs in Afghanistan, Albania, Bangladesh, Djibouti, Ecuador, Egypt, El Salvador, Ghana, Indonesia, Liberia, Pakistan, Sudan and South Sudan. Democracy International is a signatory to the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers.*