



Presidential Elections' Observatory "Egypt 2014"

First Report

The Period For Nomination



Address: 148 Misr Helwan El-Zyrae Road , El Matbaa Sq, Hadayek El Maadi ,
4th Floor, No 41 , Cairo, Egypt

PO Box : 490 El Maadi

Website : www.maatpeace.org & www.radiomaat.org

E-mail : maat@maatpeace.org & info@maatpeace.org

Tel. +202 29719612

Telefax. +202 25266792

Mob. +201005327633

+201226521170

Preamble

This is the first report issued by the "Presidential Elections' Observatory", one of Maat for Peace, Development and Human Rights' relative mechanisms to the presidential elections' observation (Egypt 2014). The first round of the elections is decided to be on 26 and 27 May 2014, the process was initiated on March 31st by opening the door to submit candidacies.

Through the observatory, Maat Foundation will follow the electoral process procedures' at the level of opening the door for application of presidential elections; electoral campaigns; voting; counting; and results announcement.

The presidential elections draws its significance from the experienced phase by the Egyptian society, where it goes through a transitional and constituent period to build a democratic regime since 3 July 2013 in the wake of the revolutionary wave that Egypt has witnessed in 30 June 2013 including the isolation of former president Mohamed Morsi; amendment of the Egyptian constitution and the referendum in mid-January 2014; and the expected presidential election is considered the second of the roadmap entitlements.

Management of the Elections' Procedures

According to article No. 3 of the Presidential Decision No. 22 of 2014, on "Presidential Elections Law" issued by the Interim President on March 2014, the Presidential Elections Committee (PEC) chaired by the President of the Supreme Constitutional Court and comprises of the following members:

- The President of the Cairo Court of Appeals;
- The most senior deputy of the President of the Supreme Constitutional Court;
- The most senior deputy of the President of the Court of Cassation;
- The most senior deputy of the President of the State Council.

The Presidential Elections Committee's work is subject to decision No. 12 of 2014 issued on 30 March 2014 on the regulations for the PEC competence, it is also considered an executive statute for the presidential elections law. And according to the Law and its executive statute, the PEC shall hold exclusive responsibility for the following:

- 1 To oversee the preparation of the voter registration database on the basis of the data obtained through the national identification number records, its contents and the method of its revision, verification and updating, and to supervise the registration process and the correction of lists;
- 2 To announce the opening of the period for Nomination to run for the presidency of the Republic;
- 3 To establish the required nomination procedures to run for the presidency of the Republic, and to supervise their implementation;
- 4 To receive applications for nomination to run for the presidency of the Republic, and examine and verify the fulfillment of all conditions by the hopeful applicants;
- 5 To identify the competent authority to certify the medical check-ups for the candidates;
- 6 To compile and publicize the final list of candidates and announce the deadline and procedures for withdrawal of candidates;
- 7 To determine the date of commencement and closure of the electoral campaign;
- 8 To set up the regulatory rules governing the election campaign as provided for in this law, and to ensure their implementation in a way that ensures equality among all candidates in accessing state-owned media, whether audio or visual or newspapers and publications of media institutions, for the purpose of election-related propaganda, and to take appropriate measures when regulations are violated;

- 9 To establish rules and procedures to notify candidates for the presidency of the Republic of the decisions issued by the PEC;
- 10 To call the voters to vote for the election of the President of the Republic, and to fully supervise the polling and counting procedures;
- 11 To set up rules and regulations governing the involvement of local and international media and CSO's in following (watching) the electoral process;
- 12 To formulate the necessary regulations to organize the work of the PEC, and how to discharge its competencies;
- 13 To decide on all matters referred to it by the general electoral committees;
- 14 To make final decisions on all election-related challenges, appeals and grievances;
- 15 To receive compiled electoral results, and determine the final results of the election and publicize them.

The Law immune the Committee's decisions in article No. 7 stating; "the PEC decisions shall be final and binding by themselves. They may not be challenged in any manner or in front of any body. The PEC decisions shall not be impeded or repealed in any way".

The PEC decisions immunization was controversial not only between political powers but also between some judicial authorities, according to the presidential institution the General Assembly of the Constitutional Court approved it considering that the PEC is a judicia committee not an administrative committee. Therefore, its decisions' immunization does not contradict the constitution, when the legislation department at the State Council refused the immunization.

At the political powers level, several political powers announced their endorsement to the PEC decisions immunization including ElMasreenAlAhrar Party and the Conference Party, when some political powers declared a neutral position regarding the situation including AlWafd Party and AlNoor Party, and other political powers headed by the supporting powers to potential presidential candidate HamdeenSabahi as well as HamdeenSabahi himself strongly rejected the immunization.

The Nomination for the Presidency Period's Regulatory Procedures

The Presidential Elections Law issued by Presidential decision No. 22 of 2014 and its Executive Statute issued by the PEC decision No. 12 of 2014 set the conditions candidates for the presidency of the Republic shall meet as follows:

1. The candidate must be registered in the voters database;
2. The candidate must be Egyptian born to Egyptian parents;
3. Neither the candidate, nor any of the candidate's parents or spouse, shall have never acquired citizenship of another country;
4. The candidate shall be in possession of a higher educational qualification;
5. The candidate shall be in full enjoyment of his/her civil and political rights;
6. The candidate shall not have been convicted for any felony or crime involving moral turpitude, or dishonesty, even if the candidate had been rehabilitated thereafter;
7. The candidate must have performed, or been legally exempted from, the military service;
8. The candidate shall not be less than 40 years of age on the day of opening the period for candidates nomination;
9. The candidate shall be free from any physical or mental illness that may influence the performance of the duties and functions of the President of the Republic;
10. The candidate shall have to obtain endorsement by no less than twenty members of the House of Representatives; otherwise, to be supported by at least twenty-five thousand citizens eligible to

vote, from no less than fifteen governorates, with a minimum of one thousand supporters from each such governorate. In all cases, it is prohibited to extend support or endorsement for more than one candidate.

Considering the absence of the House of Representatives at the moment, the Law stated; "the first presidential elections to be held after the enactment of this law, and before the parliamentary elections, shall be based on the citizens' support option".

The PEC decision No. 12 of 2014 regulated the procedures of opening of the period for Nomination for the Arab Republic of Egypt presidency 2014, from Monday 31 March 2014 to Sunday 20 April 2014, the PEC shall receive the candidates applications during this period between 9.00h and 20.00h except for the final day when the applications submission ends by 14.00h.

The PEC approved an established form to be filled in according to the constitution for the citizens' support for nominees to the presidency, the form must show the verified individual data of the nominee, as well as the personal data of the supporting citizen, her/his national ID card number and place of domicile. The form shall also include a statement that the citizen did not support this or any other candidate already, and that the submitted data are accurate and valid. *(the citizens' support for nominees to the presidency form is enclosed).*

The Most Significant Observations on the Regulations for Opening of the Period for Nomination

- 1) The determined period by the PEC estimated by 21 days is relatively short to collect twenty-five citizens' support forms registered at the real estate and documentation registry offices for the presidential candidates;
- 2) The relative delay in the Presidential Elections Law issuance, and the delay in the issuance of the regulatory decision for the electoral process by the PEC, the Law was issued on 7 March 2014, when the decision was issued on 30 March 2014;
- 3) The lack of adequate awareness by the PEC regarding the citizens' support form and how to be filled in;
- 4) The PEC utilized the modern technology in this process, where two-thousands ID cards electronic readers were provided, along with providing training for the real estate and documentation registry offices and other employees supervising the fill-in of the citizens' support for nominees forms on how to use them;
- 5) The PEC avoided a serious problem that occurred to the previous presidential elections committee related to the high turnout of non-serious applicants to withdraw the nomination papers from the PEC. Where the applicant's submission to the complete specified documents shall be one time with no need to obtain other documents from the PEC based on the latest's decision;
- 6) The free of charge registration for the citizens' support for nominees forms, through the registration office at the real estate and documentation registry contributed to facilitate the hopeful voters to support the elections candidates.

The Most Important Aspects Observed During the Period for Nomination

First; The Official Candidates:

The period for Nomination was concluded by the completion of two of the presidential candidates of the collection of the required citizens' support for candidates' forms and completion of the application process to run for the Presidency of the Republic, namely:

- Candidacy applicant; Abdul Fattah ElSisi, submitted 188,930 citizens support for candidates forms, he completed the candidacy application's procedures and submitted his application on 14 April 2014;
- Candidacy applicant; Hameen Abdul AttiSabahi; submitted ٣١,٠٠٠ citizens support for candidates forms, he completed the candidacy application's procedures and submitted his application on 19 April 2014.

Recent days have witnessed a withdrawal announcement from the process by one of the candidates, Mr. Morteda Mansour, a known public figure who announced his candidacy and collected citizens' support forms. When a famous media figure, Ms. Bothina Kamel declared that she did not succeed in collecting the minimum of the required forms (25 thousand forms).

Second; The State Agencies Stance

- a) During the supporting forms collection stage, ElWadiElGedid governor announced his completion to a citizens' support form for candidacy applicant Abdul Fattah ElSisi, he also published videos containing his fill-in to the form. Prime Minister, Ibraheem Mehleb summoned the governor before the announcement of the Cabinet speaker that the governor has submitted his resignation. Which is a protocol follows asking the governor to resign instead of his dismissal;
- b) Hamdeen Sabahi's campaign stated that they observed statements for a number of ministers regarding the presidential elections indicating the lack of neutrality. Despite the campaign declared that the Cabinet refused to receive a complaint from them in this regard, the campaign's counsel, Tarek Negida stated that he went to the Cabinet in the morning of Wednesday, 16 April 2014, where he had a meeting with Ambassador Hossam ElTaweel, the Cabinet's speaker and delivered the complaint prepared by the campaign's legal committee;
- c) Simultaneously with opening the door for candidacy, we documented a statement for General Adel Labib, current Local and Administrative Development Minister; "Field Marshal ElSisi's announcement of running for presidential elections is considered a milestone in both Egypt history's and future, the decision reflects the Field Marshal's patriotism and his sense of responsibility towards his country, considering the great challenges facing the country", when he assured the government and ministry's neutrality towards the candidates afterwards;
- d) The state television allowed two of the candidates to appear on TV in relatively large spaces, one of them was candidacy applicant Abdul Fattah ElSisi to announce his candidature, and the second is Hamdeen Sabahi and some of his campaign's members in a TV show hosted by Dr. Ma'moun Fendi.

Third; Administrative and Logistical Procedures

Complaints from some of candidacy applicant Mr. Hamdeen Sabahi's campaign officials were documented regarding the lack of delivery of the citizens' support forms to the governorates in the specific dates; the lack of delivery of ID e-readers to several real estate and documentation registry offices and employees inability to handle them in other offices; the refusal of the real estate and documentation registry's managers and employees to complete citizens' support forms to Hamdeen Sabahi, those

complaints included (Wadi Degla, Maadi; Esna center, Luxor governorate; El Siouf, Alexandria; Damietta; North Sinai; Qena; Giza; Suez; Red Sea; Gharbia; and Benha, Qalioubia).

We documented delay in completing the citizens' support forms at some of the real estate and documentation registry offices in Sohag due to the blackouts, when some employees failed to handle the e-reader.

Four; Frictions Between Candidates' Campaigns

In general, there was no systematic violence or repetitive influential frictions between the supporters and campaigns of the candidates and supporting forms collectors, some separate incidents were documented as follows:

- i. We documented a complaint from Mohamad El Leily, member of Hamdeen Sabahi's campaign at Port Said, he reportedly was attacked by an individual inside the real estate and documentation registry office, during the campaign's conduct of supporting forms for Sabahi presidential candidacy, when he tried to file a report at the deportations police station at court, the policemen bargained the victim to choose between the report withdrawal or putting him in confinement with his assaulters till referring them to the prosecutor. The campaign withdrew the report to preserve the safety of the victim and to protect him from possible attacks in custody;
- ii. The real estate and documentation registry office at Abassya witnessed scuffles between Hamdeen Sabahi's supporters and Abdul Fattah El Sisi supporters on 5 April 2014;
- iii. An altercation occurred at Esta center in Fayoum between Hamdeen Sabahi's campaign members and the Bank for Development and Agricultural Credit's security due to the fact that one of the campaign members, Abdul Nasser El Lawaj glued Sabahi's picture on the bank's security room;
- iv. Amr Badr, one of potential presidential candidate Hamdeen Sabahi's coordinators, reported that he was stopped by police at Mazalat-Shubra on 12 April 2014;
- v. 3 injuries during altercations between Muslim Brotherhood students and Field Marshal El Sisi candidacy campaign at Damanhour-Behira. The campaign members happened to exist in front of the opposite real estate and documentation registry office to Damanhour colleges compound with the emergence of the Muslim Brotherhood march, which led to scuffles, slinging stones, and hit-and-run between the two sides on 2 April 2014.

Fifth; The Escalating Violence Simultaneously With Opening the Door for Candidacy

- The Muslim Brotherhood students at Al-Azhar University set carson fire at the university garage on Sunday, 30 March 2014;
- Clashes between Muslim Brotherhood students at Beni Suef University, and taxi and microbus drivers at the city, after an attempt by the student to cut off the road in front of the university, chanting slogans against the army and police;
- 3 improvised bombs explosion in a security forces deployment surroundings Cairo University, which caused the death of Brigadier. Tariq Al Merjawi, and wounding five others in the bombing;
- The Muslim Brotherhood students broke into the Dean's office at the Faculty of Arts, Alexandria University, protest against the decision to dismiss two of their colleagues, they broke a number of glass paintings in the building, and the former deans tablet, amid slogans against the dean and ministry of interior. The students set off fireworks inside theoretical faculties square at Shatby, amid chanting against the ministry of interior and El Sisi, along with raising former president Mohamed Morsi's picture painted on white flags, demanding his release;

- Dozens of ElSisisupporters demonstrated in front of ElKa'ed Ibrahim Mosque in Alexandria after Friday prayers, they set fire to Rabiaa slogans, and chanted supportive slogans to ElSisi, the army, and police, 4 April 2014;
- Clashes between AlHilal and Nubians tribes in Aswan due to disagreements between them, which led to the deaths of 29 people, 5 April 2014;
- The administrative security personnel at Ain Shams University found a bag containing 12 homemade bombs inside the campus, when security forces combed the university in anticipation of the presence of other bombs, 8 April 2014;
- 8 student injuries in clashes between the Higher Institute for Engineering and Technology Kafr El-Sheikh students', supporters of deposed president Mohamed Morsi, and his opponents. After the MB students organized a demonstration denouncing the nomination of Field Marshal ElSisi for presidency, they chanted slogans against the army and police. The slogans provoked the supporter students to ElSisi candidacy, clashes took place between the two sides where 8 students from both sides were slightly injured, 8 April 2014;
- Defusing a homemade bomb at Mustafa Mahmoud Square, Mohandseen, where security forces were able to defuse a homemade bomb made up of nails, gunpowder, explosive materials, and a mobile chip, ready to go off and planted in one of the billboards in the square, 10 April 2014;
- A police officer injury, Capt. Ahmed Sawafat ElHasry Square, 6th of October city, following the explosion of a homemade bomb targeted his car;
- Clashes between security forces and MB supporters march, Nile St., AlArb'een district, where the Muslim Brotherhood set off fireworks, and police responded with tear gas and cartridge, 11 April 2014;
- Audio Explosion of a makeshift bomb in front of Qeft central hospital, Qena, before the arrival of the Minister of Health, and Major General. Abdul Hamid ElHagan governor of Qena to the hospital opening after recent developments, 12 April 2014;
- Chahavillage residents, Mansoura center, Kafr El Sheikh, cut off Mansoura–Dekernes road, to protest against the burning of three cars and attacking a number of supporters' homes to Field Marshal ElSisi, the potential candidate for the presidential elections by unknown assailants, demanding the security agencies to investigate the matter and arrest the culprits, 12 April 2014;
- Foreign body explosion in front Dokki police station, Galaa Square, Giza, causing injury to a citizen who was transferred to Ben Sina Hospital for treatment, 15 April 2014;
- 25 citizens' injuries in the wake of an Audio Explosion inside Manshyet ElSalam prep school for girls, Tema Alamdidd, Sinbillawain Center, Dakahlia. The injured were taken to hospital for treatment, when injuries varied between suffocation and catalepsies, 15 April 2014;
- Explosion of a homemade bomb in the central island, in front of the main gate of Fayoum stadium without causing any injuries, on 17 April 2014;
- Bomb blast in a traffic booth at Lebanon Square, Mohandseen, resulted in the murder of officer Mohammad Jamal, from the General Directorate of Traffic, and the injury of a policeman, Lebanon Square was closed along with combing the area for other bombs, and searching for the culprits, 18 April 2014;
- Defusing an improvised bomb next to a hospital in New Damietta, where a foreign body was discovered next to the hospital and reported to the police forces, it turned out to be a bomb filled with gasoline and nails and was prepared to explode, April 20, 2014.

Final Conclusions and Recommendations

Opening the doors for nomination and receiving the candidates applications stage in any elections is considered one of the significant introduction to the process' progress until the end, this phase determine the extent of the different authorities' commitment to rules that guarantee equal opportunities for hopefuls to submit candidacies, as well as revealing the extent of those authorities' commitment to realize the voters rights in the declaration of who they want to support of the candidates.

Considering the polarization climate Egypt experienced over the past months that followed the consensus of people's will to isolate the former president Mohamed Morsi, and popular consensus on a future map with specific features and timings. Thus, following-up the procedures and workflow of the candidacy stage is gaining increasing importance.

In light of what has been observed of the practices and procedures, and in light of the objective analysis of the legal and regulatory environment where the period for nomination for the presidential elections in Egypt during the period from 31 March until 20 April 2014 took place. In general, we can say that the process went smoothly and did not witness any violations contradicting the international standards for free and fair elections, and did not witness what would prevent the candidates to meet the legal requirements of applying for candidacy and get the required numbers of citizens' support forms.

The equal opportunities was accomplished to a large extent at this stage, and utilizing the modern technology by the PEC was a welcome trend can be built upon in the future.

However, there were some logistical and organizational procedural problems need to be revisited to ensure they are not repeated in the future, including the short period of opening the door to submit candidacies, as well as what has been observed including slow administrative procedures in some of the real estate and registry offices, along with the ID e-reader's break down.

The delay in the issuance of legislation and regulatory decisions, and the lack of adequate awareness on them must be remedied in the future, in order to provide the opportunity for the hopefuls to submit candidacies and their supporters to prepare well for the management of the citizens' support forms collection.

The report takes into account the proclamation by some of the presidential candidates' campaigns of being harassed during the of the citizens' support forms collection.

It's also worth mentioning referring to the growing frequency of violence and demonstrations that "do not commit to being peaceful sometimes" during the opening of the nomination period, which raises legitimate questions including whether this violence and these demonstrations related to the endeavor of some of the parties that belong to the organizations supporting the isolated president Mohammed Morsi to thwart the electoral process and provoke a climate of fear pushing voters to not exercise their right to support and vote.