



**THE JOINT AFRICAN UNION (AU) AND
COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA (COMESA)
ELECTION OBSERVATION MISSION TO THE
10 – 12 DECEMBER 2023 PRESIDENTIAL ELECTIONS IN THE
ARAB REPUBLIC OF EGYPT**

PRELIMINARY STATEMENT

CAIRO, 14 DECEMBER 2023

I. INTRODUCTION

1. The Arab Republic of Egypt conducted its polls from 10 to 12 December 2023, with Egyptians living abroad casting their votes from 1 to 3 December 2023 in 137 embassies and consulates across 121 countries. This marked the fourth presidential election following the January 2011 popular uprising. Notably, it was the second election administered by the National Election Authority (NEA), an independent and permanent election management body established in August 2017 in accordance with the 2014 Constitution of Egypt.
2. The Chairperson of the African Union Commission deployed a Joint Election Observation Mission led by Her Excellency Dr. Speciosa Wandira Kazibwe, former Vice President of Uganda and deputised by Ambassador John O. Kakonge, a member of the COMESA Committee of Elders. The Mission leadership was supported by Ambassador Bankole Adeoye, African Union Commissioner for Political Affairs, Peace and Security. The Mission includes seventy (70) observers (41 female, 29 male) from thirty-six (36) AU Member States, supported by three (3) technical experts.
3. The primary goal of the Joint Mission is to promote peaceful, democratic, and credible elections in Egypt in line with AU and COMESA principles and normative frameworks and other international obligations and standards for democratic elections including the 2007 African Charter on Democracy, Elections, and Governance, the 2012 OAU/AU Declaration of Principles Governing Democratic Elections in Africa, and Agenda 2063.
4. This preliminary statement provides a summary of the Mission's key findings and recommendations on the electoral process up to the closing and counting of the polls. While the electoral process is still on-going, the Mission will continue observing and will issue a detailed final report within 30 days of announcement of results.

II. PRELIMINARY FINDINGS

Context of the Elections

5. Four (4) male candidates participated in the election: the incumbent President Abdel-Fattah El-Sisi, who is standing as an independent candidate seeking a third term; Farid Zahran, Head of the Egyptian Social Democratic Party; Abdel Sanad Yamama, Head of Al-Wafd Party; and Hazem Omar, Head of the Republican People's Party. It was noted that the age requirement for one to stand as a candidate is 40 years.
6. The polls took place amid internal economic challenges and other regional security and humanitarian concerns linked to ongoing military operations in neighboring

Gaza. Despite these challenges, Egypt was able to organise and conduct the Presidential elections in a generally peaceful environment.

7. The Mission notes that, while the election was originally scheduled for 2024, it was brought forward to December 2023 through Decision 4 of 2023 by the NEA.
8. The Mission notes that Egypt has implemented some administrative reforms in each electoral cycle, influenced by recommendations from previous observation missions. Notably, the NEA developed guidelines on the roles and responsibilities of security personnel in the electoral process. Additionally, in line with past recommendations, there was an increased stakeholder engagement with the citizens in the electoral process.
9. However, despite previous recommendations, provisions that restrict security forces from voting remained unchanged.

III. LEGAL FRAMEWORK

10. The 2023 presidential election was conducted in line with Egypt's legal framework, including the 2014 Constitution, the 2014 Law on Regulating Presidential Elections, the 2014 Law on Regulating the Exercise of Political Rights, and the 2017 Law on the NEA, presidential decrees, NEA guidelines and Decisions. While designed to ensure credible elections, certain administrative regulations can be perceived to restrict civil and political liberties.
11. The Mission noted that NEA issued Decision No. 1 of 2023 on accreditation of international and local observers on September 25, 2023. This Decision facilitated the accreditation of observers from Egyptian civil society organizations, foreign organizations, diplomats, local Egyptian media, and foreign media.

IV. ELECTION MANAGEMENT AND INCLUSIVE PARTICIPATION

12. The Mission noted that, the NEA generally executed its mandate professionally. Polling officials, supervised by judicial officers, demonstrated a strong understanding of voting procedures and received positive competence assessments from observers. Notably though, some of the electoral officials were unable to provide important electoral statistics such as exact number of registered voters per polling station. and gender disaggregated data at polling stations visited by AU-COMESA observers.
13. AU-COMESA observers noted the availability of adequate election materials as well as sufficient number of staff per polling station. However, on the first and third polling days, the Mission observed lengthy queues and poor crowd control in some cases. The Mission regrets the unfortunate loss of life at some polling stations in Cairo and Dakahlia Governorates during polling as confirmed by NEA.

14. Polling staff and security personnel, in some polling stations denied entry to observers despite presentation of valid accreditation badges from NEA. Some AU-COMESA observers were held at polling stations for varying durations without permission to enter or leave. Additionally, the Mission noted a lack of clear communication between the NEA and polling staff regarding the presence, roles, responsibilities and obligations of election observers. The Mission acknowledges that where these challenges were brought to the attention of NEA, some were promptly addressed.
15. The Mission recognizes efforts by the NEA and stakeholders to enhance electoral participation. Special considerations were given to the elderly, Persons with Disabilities, and other marginalized groups on polling days. Braille ballot papers were available for the visually impaired. In some cases, the Mission noted that NEA offered public transport to voters, upon request, to reach their respective polling stations. Additionally, NEA made special provisions to allow all registered voters to cast their ballot at any polling station within the country.
16. The Mission noted that women and youth were predominantly involved as voters and staff in polling stations.

V. VOTER REGISTRATION

17. The national voters' register is estimated at 67 million voters. The Mission noted the provision by NEA to grant all registered voters an opportunity to cast their ballot outside their designated polling stations. The Mission further observed that the voter register in some polling stations had additional names manually entered in ink. NEA clarified these additions as individuals newly relocated from different jurisdictions (newcomers) who were documented as they voted. While this may contribute to inclusivity in the voting process, it may be subject to abuse if proper safeguards are not put in place.

VI. ELECTION CAMPAIGNS

18. The official campaign period for the 2023 presidential election spanned from November 8 to December 8, 2023. Despite the sporadic solidarity protests related to the on-going Gaza conflict, the Mission noted a generally peaceful campaign. The campaigns were mainly conducted through local media and other mediums such as banners, posters, local television, and newspaper advertisements.

VII. MEDIA ENVIRONMENT

19. To address declining voter participation as noted in the past election observation recommendations, the media in this election played a significant role in encouraging meaningful citizen participation. The Mission noted that the

stakeholders had confidence and trust in major public and private media outlets throughout the electoral period.

VIII. SECURITY ENVIRONMENT

20. The election took place against the backdrop of the Israel-Palestinian war in the neighboring Gaza, exacerbating economic and humanitarian challenges in the country. Stakeholders informed the Mission that the country continues to grapple with preventing the spill-over of the Gaza conflict and countering escalating violence from groups like the Islamic State (ISIS).

21. The Mission acknowledges the Ministry of Interior's special measures put in place to secure the election by deploying policemen in all polling stations and nearby areas, to guarantee its sanctity.

IX. ROLE OF CIVIL SOCIETY AND ELECTION OBSERVERS

22. The Mission noted the peace initiatives and political dialogue led by the National Dialogue Committee which ensured active participation of Civil Society. Furthermore, the Mission commends the active role played by Civil Society including women and youth organizations, in voter education and mobilization as well as election observation.

23. The AU-COMESA Mission received accreditation badges on the eve of the election which negatively impacted on their timely deployment and impeded observation of the opening procedures on the first day of voting in some polling stations.

X. ELECTION DAY OBSERVATION

24. The Mission deployed 28 observer teams in 15 of Egypt's 27 governorates¹, covering all four geopolitical regions of Nile Valley, Nile Delta, Western Desert and Eastern Desert. Observers visited a total of 613 polling stations to observe opening, voting, closing, and counting procedures in urban and rural areas. In 98% of the polling stations visited, the atmosphere was generally calm and peaceful. However, instances of overcrowding that made it difficult for security personnel to manage were notably observed in some polling stations on the first and last day of polling.

Opening of polling

¹ Alexandria, Aswan, Beheira, Beni Suef, Cairo, Damietta, Fayoum, Giza, Ismailia, Minya, Menofia, Port Said, Qalyubia, Suez, Tanta.

25. The Mission observed the opening process in 26 polling stations, with the majority commencing on schedule – 9:00am. A minor delay of less than 45 minutes occurred in only 23% of observed polling stations, primarily attributed to either late arrival of materials, staff, or for security precaution. Observers noted that, despite the limited presence of candidate agents and domestic/international observers, opening procedures were generally adhered to.

Voting Process

26. Voting in Egypt is unique as it happens over a three-day period. The official voting hours are from 9:00am to 9:00pm, offering a twelve-hour timeframe for each day. The Mission observed a generally calm and peaceful atmosphere throughout the three-day voting period, with minimal incidents of intimidation or interference.

27. In 8% of polling stations observed, the Mission noted instances where the secrecy of the vote was compromised. This was primarily attributed to the improper placement of voting booths or limited space in polling stations. Additionally, there were instances where polling officials were overheard casually inquiring about voters' candidate preferences.

28. Observers reported that candidate agents, mainly representing the incumbent, were present and able to observe without interference in most polling stations. However, the agents lacked proper identification.

29. On average, each polling station had six (6) staff members including at least two (2) women. While commending NEA for involving women in the administration of the election, the Mission however observed that many polling staff lacked proper identification.

30. The Mission also noted with concern campaign-related materials and music in favour of some candidates around most polling stations during the three-day voting period, in contravention of the legal provisions.

31. The Mission observed that a majority of polling stations (92%) were accessible, but in 8% of the stations, individuals with disabilities encountered challenges due to polling stations being upstairs. Additionally, crowded conditions outside some polling stations further impeded easy access and movement.

Closing and Counting

32. In most of the polling stations where AU-COMESA observers visited, polling officials adhered to the scheduled closing time of 9:00pm.

33. Despite facing initial access denial, the Mission observed closing procedures in 17 out of the 28 targeted polling stations, facilitated by the intervention of the NEA.

34. Vote counting was conducted at the polling station level, and the Mission was able to witness the process in 17 polling stations. However, some restrictions were reported in 56% of the polling stations observed.

XI. CONCLUSION AND PRELIMINARY RECOMMENDATIONS

Commendable Practices

35. The Mission commends the general positive attitude of the NEA to implement some recommendations from previous election observation missions including the development of guidelines on the roles and responsibilities of security personnel during voting.

36. The prompt responsiveness of the election management body to address challenges encountered by observers during election days was particularly commendable.

37. The Medical facility operated by the Egyptian Health Ministry and embedded in many of the polling stations is highly commendable. It provided on-the-spot emergency medical service to voters in need, especially the elderly or people living with disability (PLWD).

38. The provisions allowing Egyptians to vote from abroad were recognized as a progressive step in the context of enfranchising Africans in the diaspora.

39. The Mission applauds NEA's efforts to enable all voters, including those who went to the wrong polling stations or faced accessibility challenges, by providing transportation services.

40. Extending the voting period to three days provided ample time for voters to cast their ballots, considering the high number of registered voters.

41. Overall, the December 10 – 12 election provides a solid foundation in consolidating peace and stability in Egypt. The commitment of the Egyptian government to hold an election amid a challenging economic and security environment is commendable.

42. As the nation awaits the announcement of results by the NEA, the Mission urges all stakeholders to continue upholding peace throughout the remainder of the process. The Mission further encourages any aggrieved party to utilize legally established channels for redress.

The Mission proposes the following preliminary recommendations for consideration to enhance future electoral processes:

43. As recommended in the previous AUEOM report of 2018, the Mission reiterates the need to provide clear identification to polling officials and candidate agents.

44. Ensure that additional safeguards are put in place to prevent abuse of the privilege for voters to cast their ballots from any polling station within the country.
45. Ensure polling staff and security personnel are adequately trained and briefed on the role and importance of election observers to prevent situations where accredited observers are unreasonably denied access to polling stations.
46. Consider continuous training for polling officials on closing and counting procedures to enhance their proficiency and ensure consistent application of polling standards.
47. Enhance the layout of polling stations by strategically arranging voting booths and optimizing spatial organization to ensure confidentiality and the secrecy of the vote. This measure will also safeguard the voters' privacy.
48. Increase the number of polling stations to reduce the number of voters per polling station to allow for easy management of voters on the election days.
49. Encourage all political parties to actively participate in the electoral process and ensure adequate representation at polling stations to enhance transparency and credibility.
50. Consider improving the efficiency in the issuance of accreditation badges to allow for timely deployment of observers.