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Elections in Egypt

2015 House of Representatives Elections

Frequently Asked Questions

Middle East and North Africa

International Foundation for Electoral Systems

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Frequently Asked Questions

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What is the political context for these elections?

On October 17, 2015 Egyptian citizens will head to the polls to elect members of the House of Representatives (HoR). The elections represent the final milestone of a transitional roadmap following the removal of former President Mohamed Morsi from office in July 2013. A public referendum held in January 2014 resulted in the approval of a new Constitution, displacing the 2012 Constitution approved under the Morsi administration. The referendum represented the first milestone in the transitional roadmap. During the summer of 2014, transitional authorities switched the order of the remaining two milestones (HoR elections and presidential elections) and held the presidential elections prior to the HoR elections. In June 2014, Abdel Fattah El-Sisi was elected President. In January 2015, following the completion of all electoral legislation, Egypt's Higher Elections Committee (HEC) announced that HoR Elections would take place in two phases from March-April 2015.

Before the HoR voting could take place, the Supreme Constitutional Court declared a handful of articles in the electoral laws governing the HoR elections unconstitutional. As a result, the Administrative Court annulled the decision issued by the HEC calling for elections, which effectively meant that the elections could not take place until the electoral laws were amended in accordance with the Supreme Constitutional Court decision. The electoral laws were subsequently amended and issued in July and August of 2015. The HEC announced the new electoral timeline on August 30, 2015.

What is Egypt's electoral system?

According to the Constitution, the House of Representatives must be comprised of no fewer than 450 members elected by direct secret public ballot. The number of directly elected seats in the House of Representatives will be 568, according to law. The President has the authority to appoint additional members, up to five percent of the total number of elected seats in the House of Representatives following the elections.

The electoral system is composed of a unique combination of two separate majoritarian electoral components: the first component consists of individual candidates competing for seats, while the second component consists of electoral lists competing for seats. Both political party members and independents can run under either system.

Out of the 568 seats, 448 seats will be elected through individual candidates competing in majoritarian elections in single and multimember districts. In Egypt, this component of the electoral system is known as the "individual system." Elsewhere, the system is often called a "two-round system" for single member districts, and "block vote" for multimember districts.

Under the "individual system," the country is divided into 205 districts that have either one, two, three, or four seats. Voters have as many votes as there are seats in a district; if a district has two seats, for example, each voter in that district has two votes. A candidate must obtain an absolute majority (50 percent plus one) of valid votes cast in order to be elected. Should such a threshold not be met by any of

the candidates in the first round of voting, then a second round of voting (run-off) must be held. In single member districts, a run-off is held between the top two candidates. In multimember districts, the run-off is held between the number of seats that are still vacant times two. For example, if a district has three seats, and one candidate received at least 50 percent plus one of the votes, one seat is assigned to that candidate. The run-off for the remaining two seats will be conducted between the top four candidates who did not yet win a seat.

The other 120 seats will be elected through electoral lists competing in four multimember districts known in Egypt as the “absolute closed list system,” and elsewhere as “party block vote.” For this system, the country is divided into four districts: two districts have 15 seats each, and two districts have 45 seats each. Lists compete for these seats, and voters must cast ballots for one list on the ballot paper. All the seats in the district are allocated to the list that wins the most votes, provided that the list obtained an absolute majority (50 percent plus one) of the valid votes. If no list wins an absolute majority, a run-off election must be held between the two lists with the highest number of valid votes. The defining characteristic of this system is the fact that the winning list wins all the seats; in theory a list with 51 percent of the vote can win all seats.

In case one candidate, or one list, is running unopposed in a given constituency, the candidate or list must garner 5 percent of the votes in the constituency before being declared the winner. If such a threshold is not met, the Higher Elections Committee then reopens the candidate registration phase for the constituency.

When will the elections take place?

The elections will be held over two phases starting in October and ending in December. The first phase covers the following governorates: Giza, Fayoum, Beni Suef, Minia, Assiut, Al Wadi Al Jadid , Sohag, Qena, Luxor, Aswan, Red Sea, Alexandria, Beheira, and Matrouh. The second phase will cover the remaining governorates: Cairo, Qalubiya, Dakahlia, Monoufiya, Gharbiya, Kafr El Sheikh, Sharkia, Damietta, Port Said, Ismailia, Suez, North Sinai, and South Sinai.

Out-of-country-voting (OCV) for the first phase of elections will take place on October 17-18, with in-country voting being held on October 18-19. The OCV run-off for the first phase will be held on October 26-27, with the in-country run off held on October 27-28.

OCV for the second phase of elections will take place on November 21-22, with in-country voting held on November 22-23. The OCV run-off for the second phase will be held on November 30 and December 1, with the in-country run off held on December 1-2.

Why are the elections being held in phases?

According to the electoral legal framework, all polling stations must be headed by either a judge or prosecutor. With approximately 16,000 members of the judiciary to meet the needs of 55 million

registered voters, the Higher Elections Committee decided to hold the elections in two phases to avoid over crowded polling stations.

When will the official results be announced?

Election results are expected to be announced as follows:

- First phase results: October 20-21
- Run-off results from first phase (if applicable): October 29-30
- Second phase results: November 24-25
- Run-off results from second phase (if applicable): December 3-4

Are there seats reserved for women and marginalized populations?

Yes, quotas for marginalized groups and minorities are an enforced component of the closed list system. In districts with 15 seats, each list is required to have a minimum of three Christians, two individuals who are either farmers or workers, two youth (those aged 25-35 years old during the candidate registration phase), one person with a disability, and one Egyptian living abroad. The lists competing in districts with 45 seats must include at least three times the numbers mentioned above. Furthermore, the 15 and 45 candidate lists must include at least seven and 21 women respectively, regardless of whether they represent minority groups or not. Since the winning list wins all the seats in the district, this mandated list composition guarantees that all quotas will be met.

Who is eligible to vote?

All Egyptian citizens aged 18 and older have the right to vote. According to law, officers and members of the armed forces and police forces are not allowed to vote during their periods of service.

Who is eligible to run as a candidate in the elections?

According to laws governing the House of Representatives (HoR) elections, in order to be accepted as a candidate, an applicant must:

- Be an Egyptian national and have full civil and political rights;
- Be listed in the voter database and should not be excluded from the registry for any legal reason;
- Be at least 25 years of age on the day of opening candidature;
- Be a holder of at least an elementary education completion certificate;
- Have completed military service, or have been exempted therefrom according to the law; and
- Not have been deprived of his/her membership by a decision of the HoR due to the loss of trust or reputation, or breach of duties of membership; however, a candidate can be nominated if the

legislative term during which the decision depriving him of membership was issued has lapsed, and/or the HoR issued a decision, by a two-thirds majority, to annul the decision.

How many registered voters are there?

To date the Higher Elections Committee has not announced the official number of registered voters. However, it is estimated that this number is approximately 55 million.

How are voter lists compiled?

Voter lists are compiled on the basis of citizen information stored in a national identity card database.

The personal information of all Egyptian citizens possessing a national identity card, who are above 18 years of age and are eligible to vote, is automatically transferred from the national identity card database to the voter register database. Voters do not have to specifically register to vote. Persons who are not eligible to vote are removed from this database before the final voter lists for each polling station are prepared.

How many polling stations will there be?

For the upcoming House of Representatives elections, the Higher Elections Committee will establish 27,343 polling stations in total for the two phases. In the first phase, there will be 13,485 polling stations, and in the second phase 13,858 .

What are the working hours for polling stations on all Election Days?

Polling stations will open at 9:00 a.m. and close at 9:00 p.m. All stations will close for one hour beginning at 2:30 p.m.

The judiciary supervisor can extend the operating hours of a polling station to accommodate voters who might still be queuing outside the polling station, as long as they were inside the polling center before the closing hour.

How will voters with special needs cast their ballots?

According to law, the Presiding Officer of the polling station is allowed to assist voters with disabilities who are unable to mark the ballot paper on their own. Such voters may verbally indicate their voting preference so the Presiding Officer may mark the corresponding choice on the ballot paper. The presiding officer confirms the attendance of this voter by marking the voters list appropriately.

For voters unable to read or write, each list and each individual candidate has been assigned a symbol that will be printed next to the name of the candidate. This has been done to make it easier for these

voters to vote independently. There are no legal provisions specifically establishing the provision of any form of assistance to voters who are unable to read or write. However, it has been common practice in Egypt for the head of the polling station to assist such voters who expressly request such assistance.

What are the powers and responsibilities of the new House of Representatives?

According to the Constitution, the House of Representatives is entrusted with the authority to enact legislation and approve the general policy of the state, as well as economic and social development plans and the state budget. The body also exercises oversight over the actions of the executive authority.

What is the election management body? What are its powers?

The electoral management system in Egypt is based on the establishment of ad-hoc election committees, each with a temporary mandate and responsibilities, who then administer a specific election or referendum process. Each of these bodies is dissolved upon the completion of the electoral process that it was mandated to supervise. Accordingly, the High Elections Committee (HEC), the current governing body, is responsible for administering the 2015 House of Representatives elections.

According to the Constitution, a permanent electoral management body will be established in Egypt following the upcoming elections. This new permanent body will have the mandate of administering national and local elections in the future.

What is the composition of the Higher Elections Committee?

The Higher Elections Committee (HEC) consists of a President and six members, all members of the judiciary appointed *ex officio* through a decree issued by the President of the Republic. The head of the Cairo Court of Appeal is President of the HEC, while the members are:

- The two most senior deputies to the head of the Court of Cassation;
- The two most senior deputies to the head of the State Council; and
- The two most senior heads of Courts of Appeal, following the head of the Cairo Court of Appeal.

The HEC is supported by a General Secretariat at the central level in Cairo composed of judges and representatives seconded from a number of ministries.

What are the responsibilities of the Higher Elections Committee regarding the upcoming elections?

According to the Law on the Exercise of Political Rights, the Higher Elections Committee shall have the following authorities and responsibilities:

- Issue by-laws regulating the work of the Election Committee and the General Secretariat;
- Express opinions on draft laws related to the legislative elections;
- Supervise voter registration and updating the voter database;
- Call for legislative elections as prescribed in the Constitution;
- Stipulate the dates and timetable for elections;
- Issue all the rules and procedures of the electoral process;
- Introduce measures for shifting to interim automated or electronic voting, if required;
- Develop and implement a system of electoral symbols to correspond to the candidates running for elections, provided that such system is neutral and ensures equality and equal opportunity;
- Authorize Egyptian civil society organizations, international entities, and media to observe elections and referenda;
- Appoint the General Committees responsible for administering elections in electoral districts and Polling Station Committees as prescribed by law, and determine the location and premises for these committees;
- Appoint secretaries and alternate secretaries to the General Committees and Polling Station Committees;
- Issue necessary decisions for maintaining order during legislative elections and referenda; and
- Announce the results of elections and referenda.

What are the roles and responsibilities of the Ministry of Interior in the elections?

The Ministry of Interior (Moi) provides administrative, operational, and logistical support to the electoral process. Some of the ministry's functions include procuring ballot papers, ballot boxes, and indelible ink. The Moi also supervises all security arrangements for the electoral process.

What are the rules on electoral campaigning?

According to law, candidates must abide by the following rules:

- They must refrain from exposing facts about the private life of other candidates or citizens;
- They must protect national unity, and abstain from using religious slogans or other slogans that discriminate between citizens or incite hatred;
- They must refrain from using, or threatening to use, any form of violence;
- They are prohibited from using state-owned, civil-society-owned, public-sector or public-business-sector owned buildings, facilities, and means of transportation for any electoral campaigning purposes;
- They are prohibited from using state-owned facilities, places of worship, schools, universities, and other public or private educational institutions for electoral campaigning purposes;
- They are prohibited from spending public funds, or funds owned by public businesses or civil society organizations;

- They are prohibited from applying handwritten slogans or messages on public or private walls; and
- They are prohibited from offering gifts, donations, assistance in cash, or in-kind, or any other benefits to voters, or from directly or indirectly promising such favors.

What are the rules governing electoral campaign finance?

Campaign finance is regulated as follows:

- The ceiling for election campaign expenditures for each candidate in the individual system is 500,000 Egyptian pounds for the first round, and 200,000 for the run-off;
- For a list comprising 15 candidates the ceiling is 2,500,000 (EGP) for the first round, and 1,000,000 for the run-off;
- For a list comprising 45 candidates, the aforementioned ceilings for a 15-candidate list are to be tripled;
- Candidates may receive contributions in cash or in-kind from any Egyptian citizen or political party, provided that any individual contribution does not exceed five percent of the expenditure ceiling;
- Candidates must open an account and deposit all financial contributions in one of the banks designated by the Higher Elections Committee (HEC), and must disclose to the HEC all financial transactions relating to their election campaigns. Candidates can only fund their election campaigns through these bank accounts; and
- Candidates must hold regular financial records that comply with Egyptian auditing standards, in which they keep track of all electoral contributions and expenditures.

What are the rules governing media coverage of the elections?

According to law, all private and state-owned media must comply with the following rules during the electoral campaign:

- Candidates have the right to use state-owned media, according to available resources. The Higher Elections Committee has the authority to pass any regulation or procedure that ensures equal opportunity and non-discrimination between candidates regarding the use of state-owned media;
- All media personnel authorized to work in Egypt must comply with the established professional standards when covering elections;
- Members of the media shall not report personal opinions as fact, or mix news with paid advertisements;
- Members of the media must maintain accuracy and objectivity in circulating news, create headlines that reflect the content of the news, and avoid the use of anonymous sources;
- Opinion polls and surveys on the House of Representatives elections broadcasted or published by the media must disclose full information on the entities conducting and financing such polls, on

the questions responded to in the polls, on the sample size, the locations where it took place, the methodology and data collection method used, and the date and potential error ratio for all findings;

- No opinion polls and surveys can be published or broadcast three days before Election Day through the end of the electoral process.

When and where will vote counting take place, and how are results tabulated at various levels?

The legal framework stipulates that vote counting will be conducted at the polling station level. All result forms from polling stations shall be sent to the respective General Committees for tabulation. There is one General Committee for each of the 205 individual constituencies. The General Committees announce the number of votes casted, the number of valid and invalid votes, and the number of votes each candidate or list received in all polling stations that fall within their jurisdiction. All General Committees shall send the respective tabulation forms to the Governorate Committees, which then shall transfer them to the Higher Elections Committee for the official announcement of results.

Will observers be dispatched to the elections?

Both international and domestic observers will be allowed to observe the elections. To be allowed to observe this election, international observation groups must have submitted an application to the Higher Elections Committee by August 20, 2015.

The application must provide evidence of the organization's prior work in election observation during the last three years, and the details of all the international observers it intends to deploy, such as names, job titles, and nationalities.

How will electoral disputes be adjudicated, and by which body?

The system to adjudicate electoral disputes is set forth in the Law on the Exercise of Political Rights and the Law on the House of Representatives.

The Higher Elections Committee (HEC) is responsible for addressing specified electoral disputes during the elections. These disputes include complaints regarding the removal of a voter from the voters list, or correcting his/her information on the list, and removing a candidate from the final list of candidates or voting procedures. Following the announcement of results, candidates can submit complaints to the HEC within two days. The HEC, in turn, has two days to decide on the complaints.

The Court of Cassation is the designated body to adjudicate disputes concerning the validity of election results related to the House of Representatives. These appeals must be submitted within 30 days of the announcement of the final results, and the Court must make a decision within 60 days from receiving the complaint.

Are Egyptians living outside Egypt able to participate in the parliamentary election?

Yes, the Higher Elections Committee has made necessary provisions for out-of-country voting so Egyptian nationals living abroad can vote in the elections. The legal framework also stipulates that each list of candidates must have representatives of Egyptians living abroad.

Any citizen who is registered as a voter and has a valid ID card that shows his/her address in Egypt, or a valid passport with such data, and proof of residency abroad, has the right to vote abroad. Such voters may cast ballots at the premises of the designated diplomatic or consular mission, in the constituency that corresponds with the registered address in Egypt. The diplomatic or consular mission shall accept the presented proof of residency abroad.

How does Egypt encourage citizens to vote?

The Higher Elections Committee is conducting a nationwide voter education campaign targeting both polling station administrators and voters at large. The campaign touches on a number of topics, including the dates of the elections, voting steps, the use of indelible ink, procedures regarding sealing ballot boxes, marking the ballot paper, and electoral malfeasance. The campaign distributes such educational material through a variety of platforms, including announcements via television and radio, as well as posters, leaflets, billboards, and newspapers.