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Elections in Egypt

2018 Presidential Election

Frequently Asked Questions

Middle East and North Africa

International Foundation for Electoral Systems

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March 12, 2018

Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Egyptian election authorities as of March 12, 2018 to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When will the presidential election take place?

The 2018 Egyptian presidential election will be held over three days (March 26-28), as announced by the National Election Authority on January 8, 2018. Voting for citizens abroad will take place from March 16-18. This election takes place as scheduled at the end of the current four-year presidential term.

What is the legal framework for the presidential election in Egypt?

The presidential election in Egypt is governed by the following pieces of legislation:

- The 2014 Constitution of the Arab Republic of Egypt;
- Law No. 22 of 2014 on Regulating Presidential Elections;
- Law No. 45 of 2014 on Regulating the Exercise of Political Rights;
- Law No. 198 of 2017 on the National Election Authority;
- Presidential Decree No. 503 of 2017 on Establishing the Board of Directors of the National Election Authority; and
- Presidential Decree No. 553 of 2017 Establishing the Executive Body of the National Election Authority.

In addition to the constitution and these laws, the presidential election is also regulated by decrees issued by the National Election Authority and published in the Official Gazette.

What electoral system will be used in this presidential election?

The president is elected through direct universal suffrage in a majority two-round system. According to Article 39 of Law No. 22 of 2014, a candidate must obtain an absolute majority (50 percent plus one) of valid votes cast to be elected. If no candidate meets this threshold in the first round of voting, then a second round of voting must be held between the two candidates with the largest number of valid votes.

What are the powers and responsibilities of the president?

The powers and responsibilities of the president are detailed in the constitution. Article 139 of the constitution declares that the president of the Republic is the head of state and of the executive branch. The article also states that the president shall “care for the interests of the people, safeguard the independence of the nation and the territorial integrity and safety of its lands, abide by the provisions of the constitution and assume his authorities as prescribed therein.”

Upon assuming office, the president will undertake several roles and responsibilities including:

- Assign a prime minister to form the government;
- Set the state’s general policy, jointly with the cabinet, and oversee its implementation as stated in the constitution;
- Represent the state in its foreign relations, conclude treaties and ratify those approved by the House of Representatives;

- Serve as the supreme commander of the Armed Forces;
- Appoint and dismiss civil and military employees and political representatives and accredit political representatives of foreign states and bodies in accordance with the law;
- Declare a state of emergency as regulated by law, if needed, after consultation with the cabinet;
- Issue pardons and reduce sentences after consultation with the cabinet; and
- Call for a referendum on issues relating to the supreme interests of the state.

The president may also appoint up to five percent of the total number of the House of Representative seats.

Who can be a presidential candidate?

According to Article 141 of the constitution, “a presidential candidate must be an Egyptian born to Egyptian parents, and neither he, nor his parents or his spouse may have held any other nationality.”

The same article adds the following criteria for eligibility:

- The candidate must enjoy civil and political rights;
- The candidate must have performed military service or have been exempted by law; and
- The candidate shall not be less than 40 years old on the day that candidate registration begins.

Law No. 22 of 2014, which regulates the presidential election, affirms the eligibility criteria set forth in the constitution and adds that a presidential candidate shall also:

- Hold a university degree;
- Must not have been sentenced to a penalty in any felony or offense involving breach of honor or trust, even if he has been rehabilitated; and
- Must not be suffering from any physical or mental disease that may negatively affect his performance of presidential duties.

The constitution states that candidates must also demonstrate a minimum level of support, in one of two ways:

1. At least 20 members of the House of Representatives formally endorse the candidate; or
2. The candidate must secure the endorsement of no less than 25,000 eligible voters in at least 15 governorates, with no less than 1,000 supporters from each of those governorates.

How many candidates have registered to run in the presidential election?

On February 24, 2018, the National Election Authority announced the final list of candidates for the presidential election. The candidates on the list are current President Abdel Fattah Al-Sisi and Moussa Mostafa Moussa, chairperson of the Ghad Party.

Which election management body administers the presidential election?

Prior to the establishment of the National Election Authority (NEA), Egypt had multiple election management bodies. Up to 2010, the Ministry of Interior managed all elections, except for the 2005 presidential elections, which were administered by the Presidential Elections Commission, a body established as a result of the amendment of Article 76 of the 1971 constitution. The amended article called for direct elections for the president rather than a referendum to renew the term of the incumbent president. From 2011 to 2016, elections have been administered by different election commissions, all comprising full judicial representation. A Presidential Elections Committee administered presidential elections, while a High Elections Committee administered referenda and parliamentary elections. Both committees were supported by civil servants seconded from different state institutions.

The 2014 Egyptian constitution mandated the creation of an independent NEA, which shall be the competent authority for the administration of all electoral events in Egypt. This includes elections for president, the parliament, local councils, and referenda.

The NEA was formally established through Law No. 198 of 2017 on the National Election Authority and appointed through Presidential Decree No. 503 of 2017 on Establishing the Board of Directors of the National Election Authority.

What is the composition and appointment process of the Board of the National Election Authority?

The Board of Directors is composed of 10 members of the judiciary who serve on a full-time basis. The composition of the Board is detailed in both the constitution and Law No. 198 of 2017, which stipulate that they should be selected equally (two each) from the ranks of:

- Vice presidents from the Court of Cassation;
- Presidents of the Courts of Appeal;
- Vice presidents of the State Council;
- Vice presidents of the State Litigation Authority; and
- Vice presidents of the Administrative Prosecution Authority.

The members are nominated by the Supreme Judicial Council and the special councils of the relevant judicial bodies, provided they are not members of any of these councils. The formal appointment is through a decree issued by the president of the Republic. The president of the National Election Authority is the most senior judge from the Court of Cassation, currently Counselor Lasheen Ibrahim.

The Board meets at least once a month upon invitation of its president. The president may request extraordinary meetings, or three members of the Board can also make the request in writing. The Board has a quorum of eight members, including the president, and decisions must be taken by at least six members.

What is the term of the National Election Authority Board members?

The 10 members of the Board are seconded to the National Election Authority (NEA) full-time for a non-renewable six-year term. The replacement of the Board members will be staggered; half of the Board members will be renewed every three years. To start this staggered replacement procedure, five of the Board members will only serve for three years after the establishment of the NEA. These five members will be selected through a lottery between the two members from each of the five entities represented on the Board. The chairperson of the Board will conduct this lottery.

What is the composition and appointment process of the executive body of the National Election Authority?

The executive body is composed of an executive director and three deputies who are appointed through a presidential decree after nomination by the Board of more than one person for each of the positions. The appointment is for a four-year period, which can be renewed once. This period may be extended for up to one year, should the end of the period coincide with an election or a referendum. Staff members can be chosen from judicial entities, civil servants, and those with the required expertise according to rules set by the Board.

What are the key roles and responsibilities of the executive director of the National Election Authority?

The executive director heads and supervises the executive body and specifically:

- Runs the National Election Authority's (NEA) finances and administration;
- Implements the decisions and policies of the Board;
- Prepares an executive program for referenda and elections for the Board's approval;
- Reviews all studies, plans and programs that will be presented to the Board;
- Supervises the preparation of the Board's agenda and meeting minutes;
- Prepares the draft annual budget for the NEA;
- Proposes the organizational structure and human resources systems to the Board; and
- Sets up and administers modern means of communication and outreach for the NEA, including a website.

What is the mandate of the National Election Authority per the relevant laws?

The mandate of the National Election Authority includes:

- Issuing decisions for the conduct of elections, and developing the rules, procedures, and mechanisms for conducting referenda and elections in a manner that ensures their safety, impartiality, fairness, and transparency;
- Preparing, and regularly updating, the voter database;
- Determining the dates and timelines for conducting referenda and elections;

- Registering candidates and preparing the final lists of candidates for elections;
- Appointing civil servants or others to administer polling and counting in referenda and elections;
- Requesting assistance from members (judges) of judicial entities to supervise elections and securing approvals from the relevant Supreme Councils;
- Determining the locations of polling and counting stations and centers;
- Issuing the necessary decisions to preserve order and security during referenda and elections inside and outside polling stations;
- Conducting voting for Egyptians living abroad in coordination with the Ministry of Foreign Affairs;
- Determining and monitoring the regulations for electoral campaigning, financing, and spending;
- Determining the start and end dates of campaigning;
- Determining regulations for observing referenda and elections by Egyptian and foreign media, civil society organizations, candidate agents, and other groups, and monitoring compliance with these rules;
- Regulating public opinion polls during elections;
- Conducting information and education campaigns for voters, political parties, and coalitions, motivating these stakeholders to participate in elections, and seeking assistance from national councils, civil society organizations, professional and vocational syndicates, media outlets, and others to conduct information and education campaigns;
- Regulating the processes for adjudicating electoral grievances and complaints and adjudicating such complaints;
- Regulating the archiving and disposal of referenda and election-related documents;
- Suggesting the delimitation or amendment of electoral district boundaries in coordination with the relevant authorities;
- Expressing opinions on relevant draft laws related to referenda and presidential, parliamentary, and local council elections; and
- Announcing the results of referenda and elections.

Who has the authority to announce final results and when will they be announced?

The Board of the National Election Authority (NEA) has the sole authority to announce final results of all elections and referenda. The results must be issued within five days of receiving all relevant documents from polling stations and electoral districts. An additional three days shall be added if the NEA receives any complaints regarding the electoral process.

What is the role of state institutions in elections?

All state institutions are legally obliged to support the National Election Authority (NEA) in its work. Once an election or referendum is called, all relevant state institutions must assign a focal point to coordinate with the NEA and provide support as requested and agreed upon with the NEA.

What are the roles and responsibilities of the judiciary in the presidential election?

In addition to the 10 Board members who are all members of the judiciary, judges are the presiding officers for each polling station. General committees – the committees that run elections in electoral districts – are also comprised of judges and members of judicial bodies. They are responsible for supervising polling stations and tabulating results within their territorial jurisdiction. The roles and functions of the general committees are determined through the decrees and procedures established by the National Election Authority. Judges are also supported by civil servants throughout the whole process, whether at polling stations or general committees across the country.

How many registered voters are there?

The National Election Authority announced in the press that there are more than 59 million voters registered for the presidential election.

Who is eligible to vote?

All Egyptians who have turned 18 before or on January 7, 2018, will be able to vote. Egypt has a system of automatic voter registration.

Per Egyptian laws, the right to exercise political rights is temporarily suspended for certain categories of citizens and they are not included on the voter register. This includes:

- Officers and members of the Armed Forces and police throughout the duration of their service;
- Persons placed under custody, for the duration of the custody;
- Persons suffering from "psychological or mental disorders" [sic], for the duration of compulsory hospitalization in a mental health facility;
- Persons against whom a conclusive judgment was rendered for having committed a crime of tax evasion;
- Persons against whom a final judgment was rendered for having committed a crime of criminal bankruptcy through fraud or negligence;
- Former civil and public-sector employees who were dismissed, after a final judgment, for committing a crime of moral turpitude or breach of trust;
- Persons sentenced upon final judgment of conviction of a felony; or
- Persons punished after a final judgment to incarceration for a variety of crimes, including larceny, fraud, breach of trust, bribery, forgery, perjury, or evasion of national service.

In cases where political rights have been suspended following a court ruling, the suspension shall last for a period of five years from the date of the judgment and shall not be effective if the person in question is rehabilitated.

How is the voter register compiled?

The voter register is compiled using 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 and how can voters locate their polling stations?

For the upcoming presidential election, the National Election Authority (NEA) will establish approximately 14,000 polling stations across Egypt. Voters are allocated to the polling center that is closest to the address listed on their national identity card. Voters may enquire about their polling stations on the NEA website, or by dialing or sending messages from mobile phones.

Can voters vote in polling stations outside their governorate?

Yes. National Election Authority (NEA) Decree No. 6 of 2018 stipulates that any voter who will be present in a governorate other than the governorate where his/her electoral domicile is located, may vote in the presidential election at one of the polling stations in the jurisdiction of the governorate where s/he will be present during the election days. The voter shall express his/her wish before one of the notarization offices, or at the Court of First Instance located where they are present and will vote at a polling station assigned by the NEA.

What are the hours for voting on the various election days?

Polling stations in Egypt will open at 9:00 a.m. and close at 9:00 pm. Voters who might still be queuing inside the polling center after the polling station closes will be allowed to complete voting. On each Election Day, there will be a mandatory break in voting from 3:00 p.m. to 4:00 p.m.

What are the steps in the voting process in polling stations?

Voters follow the following steps in a polling station:

1. **Voter identification:** A voter presents his or her national identification card (or a valid passport that includes the national identification number) to the presiding officer for identification purposes.
2. **Verifying names in the voter list:** The presiding officer will make sure that the name of the voter is listed in the electoral roll assigned to the polling station.
3. **Issuing the ballot paper:** Once identified, the voter receives an open ballot paper from the presiding officer.
4. **Marking the ballot paper:** The voter proceeds to one of the polling booths, marks the ballot paper in secrecy, places it in the ballot box and exits the polling booth.
5. **Signing on the electoral roll:** After casting the vote, each voter has to place his or her signature (or apply a thumbprint) next to his or her name on the electoral roll.

6. **Application of indelible ink:** After voting, indelible ink is applied on the voter's finger and he or she exits the polling station immediately.

How will voters with disabilities cast their ballots?

According to Article 44 of Law No. 45 of 2014, persons with disabilities who are unable to mark the ballot on their own can only be assisted by the presiding officer of the polling station. 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, it has been the practice in Egypt that ballot papers include pictures of candidates and symbols assigned to each 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.

How can voters outside of Egypt vote?

Any citizen who is registered as a voter and holds a national identity card or valid passport that includes the national identity number has the right to vote abroad if they are outside Egypt on the days that the elections are conducted out-of-country.

Out-of-country voting will take place at the consulate headquarter, Egyptian diplomatic missions or other places specified through a National Election Authority decree based on the recommendation of the Ministry of Foreign Affairs. Voting will be conducted by committees formed by members of the diplomatic and consular corps, supported by primary secretaries from among the staff of the Ministry of Foreign Affairs.

Candidates can nominate representatives to observe voting in polling stations abroad provided that they are registered as voters and that they have a valid power of attorney to act as representative of the nominee.

What are the rules on electoral campaigning?

According to Decree No. 15 of 2018, the electoral campaigning period will begin on February 24 with the following silence periods: March 14-15 for out-of-country voters and March 24-25 for in-country voters.

For runoffs, the electoral campaigning period will commence on April 15 until 12:00 p.m. of April 18 for out-of-country voting, and until 12:00 p.m. of April 23, 2018, for in-country voters.

The following shall be prohibited:

- Exposing the sanctity of the private life of any candidate;
- Jeopardizing national unity, or using religious slogans or slogans that call for discrimination among citizens;
- Using or threatening to use violence;

- Offering gifts, donations, cash or in kind, assistance or any other benefits or promising to offer such, directly or indirectly;
- Using, by any means, buildings, facilities, and means of transportation owned by the state or public-sector companies or public-business-sector owned companies, and premises of civil society organizations, for electoral campaigning purposes;
- Use of government facilities, public utilities, places of worship, schools, universities, other public or private educational institutions, and civil society organization premises for electoral campaigning purposes;
- Spending public funds and funds of public sector and public business sector companies and civil society organizations for electoral campaigning purposes; and
- Writing, by any means, on walls of governmental or private buildings.

What are the main rules governing electoral campaign financing?

Campaign financing is regulated by Law No. 22 of 2014 and National Election Authority (NEA) Decree No. 22 of 2018. The campaign spending ceiling for each candidate is EGP 20 million (approximately \$1.1 million USD). In a run-off, the maximum limit is EGP five million (approximately \$280,000 USD). Candidates may receive donations in cash or in kind from any Egyptian natural citizen. Each contribution shall not exceed two percent (EGP 400,000 or approximately \$22,000 USD) of the maximum expenditure allowed on electoral campaigning.

Candidates are not allowed to receive any contributions in cash or in kind from any Egyptian or foreign legal person, from any country, foreign entity, international organization, any entity where a foreigner contributes to its capital, or from any foreign natural person.

Candidates must keep records registering any cash or in-kind donations. The register must record the date of receiving the donation, the donor, the nature of the donation and the value thereof. The candidate must also notify the NEA of each donation, and the full record of donations should be submitted to the NEA on the day following the end of the campaign period.

Each candidate must open a bank account and shall notify the NEA of the name of the bank and the account number. Both the bank and the candidate must notify the NEA once a deposit is made into the account and the source of the deposit. Candidates must also notify the NEA immediately of all expenditures. No campaign spending from any other source is allowed.

Will there be local and international observers for the presidential election?

Decree No. 8 of 2018, issued by the National Election Authority (NEA), permits international and domestic observers. Observation of all the procedures of candidate registration, campaigning, polling, counting and announcing election results is allowed.

Organizations wishing to observe have to apply to the NEA for accreditation and they receive specific codes used by observers to register on the NEA's website. The organizations are obliged to comply with

all the laws, regulations and decrees regulating the electoral process. At the end of the electoral process, these organizations must prepare reports on the results of the observation and submit the reports to the NEA.

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

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. The general committees announce the number of votes cast, the number of valid and invalid votes, and the number of votes each candidate 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 National Election Authority for the official announcement of results.

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

The system to adjudicate electoral disputes is regulated by the Political Rights Law (Law No. 45 of 2014), the Presidential Election Law (Law No. 22 of 2014) and the National Election Authority (NEA) Law (Law No. 198 of 2017).

Any decision of the NEA regarding the presidential election can be appealed to the Supreme Administrative Court within 48 hours of issuing the decision. This includes appeals regarding final election results.

The NEA is responsible for addressing 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. It also includes complaints regarding decisions of general committees during the voting, counting and results tabulation processes.

Resources

- [Constitution of the Arabic Republic of Egypt](#)
- [Decrees issued by the National Election Authority](#)
- [Law No. 22 of 2014 on the Regulation of Presidential Elections](#)
- [Law No. 45 of 2014 on the Exercise of Political Rights](#)
- [Law No. 92 of 2015 Amending provisions of Law No. 45 of 2014 and Law No. 46 of 2014](#)
- [Law No. 198 of 2017 on the National Election Authority](#)
- [National Election Authority](#)