



EISA TECHNICAL ASSESSMENT MISSION TO THE 2012 CONSTITUTIONAL REFERENDUM IN THE ARAB REPUBLIC OF EGYPT

INTERIM STATEMENT

**Cairo
16 December 2012**

The holding of the constitutional referendum that started on the 15th December and is due to be completed on the 22nd December, marks an important moment in the democratisation process in Egypt. The transition process in Egypt commenced with the March 2011 referendum and subsequent parliamentary and presidential elections. While the drafting of the constitution was not conducted through a consensual process, and notwithstanding the disagreements and controversies that preceded the referendum, the Electoral Institute for Sustainable Democracy in Africa (EISA) Technical Assessment Mission recognised the fact that the referendum was an opportunity for Egyptians to express their will on the draft constitution.

Due to the late accreditation of international witnesses, the Electoral Institute for Sustainable Democracy in Africa (EISA) was only able to witness polling day activities on the 15th December 2012. EISA deployed a Technical Assessment Mission comprised of thirteen (13) witnesses, to observe the polling, counting and aggregation processes in five Governorates namely: Alexandria, Assuit, Aswan, Cairo and Sharkia.

Cognisant of the fact that the referendum is on-going and the final results of the process will only be known after the second phase of voting, this statement is limited to the Mission's observations on the polling day of the first phase. EISA witnesses will remain on the ground until the end of the referendum. The Mission will issue a statement on its preliminary findings after the second phase of the referendum and a detailed final report thereafter.

The Mission's assessment of the first phase of the referendum is based on the Egyptian legal framework governing the referendum, the African Charter on Democracy, Elections and Governance, the African Union Declaration of the Principles Governing Democratic Elections in Africa, the Declaration of Principles on International Election Observation and the Principles for Election Management, Monitoring and Observation (PEMMO).

EISA witnesses visited 84 polling stations and were granted access to all aspects of the voting and counting process. The Mission notes that voter turnout was low earlier in the day but grew as the day went on with long queues by early afternoon. The Mission also notes that the process was conducted largely in compliance with stipulated procedures in most of the stations visited. Most voters were able to freely express their will without any form of intimidation or coercion. Witnesses however encountered a few instances where party agents attempted to influence the decision of voters and in some other cases, campaign materials were placed within the parameters of the polling centres. The Mission also notes with concern the large number of voters allocated to each polling station. This resulted in long queues thus necessitating a four hour extension of polling hours. The Mission notes the efforts of the polling officials and security personnel to manage the crowd at the polling stations and polling centres.

The Mission was particularly pleased to note that one of its recommendations from the previous election on the announcement and posting of results at polling stations has been adopted in the referendum. The decision of the Supreme Electoral Commission to announce and post the results at the polling stations and aggregation centres is a marked improvement on the previous electoral processes. The Mission expects that this will contribute to the transparency of the counting and aggregation process. The Mission however notes that this procedure was not complied with at some aggregation centres.

The EISA Mission urges the people of Egypt to maintain the peace in the period between the two phases of the process. Furthermore, the people are encouraged to seek redress for their complaints and dissatisfactions through legal means.

EISA has been present in Egypt since November 2011 and deployed witnesses during the parliamentary and presidential elections that were held between November 2011 and June 2012.

During the second phase of the referendum, EISA witnesses will be deployed to six governorates namely: Giza, Qalubia, Fayoum, Suez, Matruh, and Ismailia

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