



Egypt

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Parliamentary elections: Egyptian comedy against the background of abuses and human rights violations

The parliamentary elections in Egypt have seen the large victory of the ruling National Democratic party (NDP), amidst massive frauds reported by election monitors and the withdrawal of the main opposition parties in the run-off.

According to prominent Egyptian political analysts, the NDP's candidate selection process was marred by internal discord and suffered lack of sophistication, as the party allowed almost 800 candidates for 508 seats, with many candidates competing against each other in « open constituencies », while preventing party members whose candidate applications were unsuccessful from leaving the NDP to run independently.

Despite the fact that international monitoring of the electoral process was not allowed by the Egyptian Government, some Egyptian human rights organizations got organized into two main independent coalitions¹ which included FIDH member organizations in Egypt, the Egyptian organization for Human Rights (EOHR) and the Cairo Institute for Human Rights Studies (CIHRS), both agreeing on the fact that the elections were held in a political environment characterized by restrictions on public freedoms in a manner that does not allow for free and fair elections. FIDH did not monitor the elections but relies on reports from its member organizations, whose monitors have often been subjected to many obstacles to access the polling stations, to express a number of concerns regarding abuses and human rights violations that marred the two-round parliamentary elections.

<http://en.eohr.org/>

<http://www.cihrs.org/english/>

Restriction of freedom of expression Two months before the elections, as already stated by FIDH and its member organizations CIHRS and EOHR in a press release, Egypt witnessed a systematic state campaign to restrict media freedom. The campaign sought to erase the elections from the media entirely by placing live coverage of events in the hands of the Ministry of Information, and launching a series of attacks on prominent media figures, talk shows and satellite channels. This fostered a climate of fear that severely limited election coverage and encouraged media outlets to avoid politically controversial or sensitive issues. « On election day itself, most satellite channels were unable to broadcast live without government control and the ones that tried had their transmissions cut several times », according to CIHRS. This climate of fear was also encouraged by restrictions on civil society at large, including professional and labor unions; administrative and security harassment of local civil society organizations; depriving political and social movements from their right to peaceful assembly and protest and the use of excessive force to confront their activities.

Absence of international monitoring and obstacles to local monitoring: An amendment to Article 88 of the Egyptian Constitution in March 2007 transferred parliamentary election oversight from the judiciary to "an independent, neutral commission" called the High Elections Commission (HEC). This body includes the heads of the appeals courts in Cairo (who chairs the commission) and in Alexandria. Also on the panel are two other judges chosen by the Supreme Court and the State Council, as well as seven members (three former judges and four public figures) selected by the People's Assembly and the Shura Council. Because the NDP has an overwhelming majority in both houses of parliament, the ruling party effectively chooses 7 out of 11 commissioners. The HEC has the mandate to determine the polling stations and vote-counting centers, lay down the rules for preparing voter lists, make proposals for electoral district boundaries and set the rules regulating campaigning. In practice, however, it lacked the human and financial resources to implement its mandate. As a result, and due to a law on electoral constituency, the parliamentary elections witnessed a domination of the Ministry of Interior in administering the electoral process. Despite the obvious lack of human and financial resources of the HEC to fulfill its mandate, it made it very difficult for local civil society organizations to monitor the electoral process. Indeed, the Egyptian government had pledged to offer guarantees for national monitoring of the electoral process after its absolute rejection of international elections monitoring and its prohibition of any attempts of applying such monitoring. Far from keeping its promise, such guarantees have not been respected by the HEC who imposed a set of restrictions and conditions which have represented dire obstacles and hindrances to the work of the civil society's observers. Some human rights monitors were reportedly assaulted by security officials during the elections.

Human rights violations/crimes committed during the elections: According to FIDH organizations, the elections have witnessed a large number of abuses and violations. The Coalitions' observers have extensively reported the use of violence and bullying in the constituencies, resulting in the death of six citizens. The observers listed the mass abuses from pre-marking voting ballots, to bribes, vote-buying, harassment and assault on civil society observers who were often denied access to the polling stations. Some polling stations were closed to voters, while exclusively allowing supporters of the NDP into the stations. In some governorates, public buses transported voters to vote for the candidates of the ruling party only. It was also reported that journalists were assaulted, had their camera confiscated, while some of them have been held in custody in police stations. FIDH calls upon the Egyptian authorities to open independent investigations into these crimes, human rights violations and abuses that marred the elections, to bring those responsible before ordinary courts and to ensure the respect of the right to a fair trial.

Candidates denied registration/ No respect for administrative courts ruling As stated by EOHR « the most obvious feature of these elections is the non-compliance with the judicial rulings which nullified the results of the first round and banned elections in the second round due to failure to include the names of some of the candidates who obtained judicial rulings to be included or had their statuses changed in a number of constituencies ».

When the official period for candidate registration began, governorate-level security offices rejected the applications of dozens of would-be candidates without cause. The disqualified nominees turned to the Administrative Court for redress, and managed to secure hundreds of rulings in their favor. But the High Elections Commission refused to implement the court orders, despite a verdict obliging it to do so, while the Interior Ministry appealed the rulings before civil and summary procedures courts with no legal jurisdiction over the matter, simply as a stalling measure. FIDH members in Egypt have stressed that once again the parliament « has been born in the shadow of illegitimacy, as hundreds of court rulings have been ignored by state institutions whose primary task is to enforce the law ».

In this regard, FIDH calls upon the Egyptian authorities to respect the verdict issued by competent judicial authorities, in order to uphold the rule of law and restore confidence in future electoral processes.

The European Union's High Representative Ashton said, in a statement released on December 6, 2010, that she «was concerned by reports of irregularities, restricted access for independent observers and candidates' representatives into polling stations, media restrictions as well as arrests of opposition activists. A significant segment of the opposition withdrew after the first round of the elections" and that she particularly regrets "the incidents of

violence, some of them resulting in loss of life".

HR Ashton encourages the Egyptian authorities to respond to these concerns. The EU will continue to call on the Egyptian government to permit domestic and international monitors to observe future elections, and remains ready to offer assistance in that regard.

<http://www.fidh.org/Parliamentary-elections-Egyptian-comedy-against>