



منتدى البديل العربي للبرامج

# Civil Society Oversight of Egyptian Elections: Between Reality and Challenges

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This paper is a result of a closed round table discussion; it expresses the personal opinion of its writers and does not necessarily express the opinion of the Arab Forum for Alternatives or Global Partners Governance

Noha Khaled describes the holding of elections as one of the most important stepping stones following the ouster of Former President Muhammed Hosni Mubarak. The most vital aspect of a successful elections process includes complete transparency, lack of bias and guarantees the effective transfer of power.

While the terms oversight and supervision have been used interchangeably, most controversially in the parliamentary elections of 2011, to signify the regulation of the electoral process, the two words actually mean two different things. Oversight of an election is a process that can be split into two long-term phases and a short-term one.

The first phase occurs before the actual Election Day and includes ensuring the different laws pertaining to the electoral process are being adhered to, overseeing the performance of the administrative entity in charge of regulating the process and monitoring the various campaigns for any violations. Furthermore, as this phase is one where most of the fraudulent activities and election rigging takes place, for the duration of this period, an effective system for reporting and investigating complaints must be set up. The term “supervision” refers to judicial and/or civil presence on Election Day for the purposes of regulating the process and comprises the second phase of the oversight cycle. One must note that a differentiation must be drawn between the judicial supervision provided by the judiciary power of the state holding the elections and international supervision provided by various international organizations. The final phase includes reporting elections numbers as they come as in as well as broadcasting them to the public. It may also include ensuring the results of the elections are upheld and looking into any further reported complaints.

Political parties could oversee the elections by sending in their representatives to report any violations being committed by opposing parties or civil society could be tasked with reporting and documenting the entire process to their respective organizations.

The document goes on to discuss several examples of local civil society oversight of the electoral process and cites the difference between the pre-revolution times (2005 & 2010), where oversight and supervision of the elections was allowed, albeit limited, to save face to post-revolution times (2011 & 2012), where oversight of the elections was seen as a vital feature of successful, democratic transition.

Organizations wishing to participate in the overseeing of the elections only receive a license to do so if they fulfill the requirements set forth by the law. Most of these laws are fairly reasonable and aim to ensure the effectiveness and efficiency of the process, however, some, including an application process of all overseers with the possibility of rejection and setting the age for overseers at 21 despite the voting age being set at 18, seem crippling and illogical.

The final chapter of the publication deals with some of the structural challenges, such as the lack of legal documents that outlines the different rights and responsibilities of the overseers or provides a framework for the process, and the

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procedural challenges, which include the lack of time to train the overseers for the various elections as well as equipping to deal with the police force and the military.