



# **Electoral Code of Conduct**

## **Introduction**

In the framework of the mandate granted by the law to the National Election Authority; including the management of referenda and elections for presidency, parliament and local councils as well as the organization of all the related operations, and

In implementation of the stipulations of Item 24, Article III of the Authority's founding Law no. 198/ 2017,

We are proud to present the Electoral Code of Conduct to the citizens of the Arab Republic of Egypt (candidates of elections across all levels) and also to the political parties and their supporters, to be adopted and complied with so that the electoral process is conducted in compliance with the law and fulfils the benefits for all.

**We ask God to guide us to the welfare of our beloved Egypt in a manner that pleases Him.**

March 2018

**Chairman of the National Election Authority**

**Judge Lasheen Ibrahim**

**Vice President of the Court of Cassation**

## **The Electoral Code of Conduct**

The Universal Declaration of Human Rights stipulates that “The will of the people shall be the source of authority” and the people express this will through genuine and periodical elections, based on the secret ballot and upon equality for all.

These concepts enshrine the principles for numerous international charters related to the political, civil, human rights and peoples’ rights and the manner of exercising these rights.

The global electoral heritage comprises a number of important principles represented in the following:

### **1. Public Voting:**

Meaning that every person has the right to vote and to be nominated, with the possibility of the existence of some conditions related to age, nationality, residence, and the deprivation, exemption or suspension of voting rights due to legal reasons, setting requirements for candidacy and other conditions pursuant to the various national laws.

### **2. Equal Voting:**

In the sense that all votes are counted equally and each person shall cast one vote, or meaning the equality of distribution of the votes given to each voter. The seats in the various electoral districts are distributed based on equal methods and principles, while guaranteeing equal opportunity for all candidates, political parties and safeguarding the equality between the two genders.

### **3. Free Voting:**

Means abiding by neutrality among all the nominees and political parties, and enabling the voter to know the by-laws, decrees and information concerning the nominees. Also, to enable the voter to cast his vote freely and without interference. It is preferable that counting the votes takes place in the same polling station.

### **4. Secret Voting:**

Meaning that the secrecy of voting is a right to the voter and a duty that he shall guard. Casting the votes shall be done individually and not collectively.

### **5. Direct Voting:**

Meaning that proper democratic expression is conducted through direct elections without resorting to escalation or indirect selection.

### **6. Periodical Voting:**

Meaning the necessity of conducting elections on periodic basis; whether presidential, parliamentary or for local councils.

The Constitution of The Arab Republic of Egypt, passed on the 18<sup>th</sup> of January 2014, stipulated and reinforced these principles. These concepts were stipulated upon in details in laws complementing the Constitution and, in the laws, relevant to the electoral process, especially the following laws:

- Regulation of the presidential elections, law no. 22/ 2014

- Regulation of the exercise of political rights, law no. 45/ 2014
- House of Representatives, law no. 46/ 2014
- National Election Authority, law no. 198/ 2017; whereas Article III, of the law, concerning the jurisdictions of the Authority (Item 24) stipulated that “Developing an Electoral Code of Conduct that is binding for all candidates, political parties and their supporters. Settling the penalties for violating this code of conduct, comprising the termination of a nominee in compelling cases.

The Constitution, in articles 208, 209 and 210, tackled the formation and organization of the National Election Authority. The formation of this Authority represents a major transformation in the domain of reinforcing the democratic reform path in Egypt, as detailed here below:

**Article 208:** The National Election Authority is an independent Authority and shall be solely competent to administer referenda and elections of the president, the parliament and the local councils. Such administration shall include the development and updating of a database for voters, proposing boundary delimitation, determination of controls for promotion and funding of electoral campaigns, as well as electoral expenditure, the disclosure of such expenditure, the supervision of such controls, the facilitation of the procedures for out-of-country voting by expatriate Egyptians, and other procedures until the announcements of the results.

The foregoing shall be regulated by the law.

**Article 209:** The National Election Authority shall be administered by a board composed of ten members to be equally assigned on full time basis from among those ranked as Vice-presidents of the Court of Cassation, those ranked as Presidents of the Courts of Appeal, Vice-presidents of the State Council, the State Lawsuits Authority and the Administrative Prosecution. They shall be selected by the Supreme Judicial Council and special councils of the aforementioned judicial bodies and entities, as the case may be, provided that they are not members thereof. They shall be appointed by virtue of a decree by the President of the Republic. They shall be assigned to work on a full-time basis at the Authority for one term of six years. The Authority shall be chaired by the most senior judge from the Court of Cassation.

Half of the members of the Council shall be replaced every three years.

The Authority may seek the assistance of independent public figures, specialists, and those deemed to have relevant expertise in the field of elections. They shall not have the right to vote. The Authority shall have a permanent executive body. The law shall determine the composition and constitution of such executive body, and the rights, duties and securities of its members in a way that achieves their neutrality, independence and integrity.

**Article 210:** Voting and counting of votes in referenda and elections shall be administered by members of the Authority under the overall supervision of its Board. It may seek the help of members of judicial organizations.

The voting and counting of votes in elections and referenda which take place during the 10 years following the effective date of this Constitution shall be totally overseen by members of judicial bodies and organizations according to the Law.

The Supreme Administrative Court shall be competent to adjudicate on challenges filed against the Commission's decisions pertaining to referenda, presidential and parliamentary elections, and the results thereof. Challenges against elections of local councils shall be filed before the Administrative Courts. Dates to file challenges against these decisions shall be specified by the law, provided that challenges shall be finally decided within ten days from the date of entering the appeal.

The law for the establishment of the National Election Authority interpreted these Articles in its stipulations and achieved the international criteria concerning the establishment of an independent election commission.

**The most prominent of these criteria shall be: Independence – sustainability – comprehensiveness – impartiality – integrity and transparency**

**Concerning the independence principle:**

The Constitution stipulated that the Authority shall not be affiliated with any State executive entity and gave the Authority a legal personality and an independent budget. The decisions of the Authority shall only be subject to the control of the judiciary. The seconding of any of the Authority members or its executive director or any of his deputies shall not be terminated except under the most limited conditions and according to strict constitutional and legal constraints. The State bodies shall be obliged to assist the Authority to fulfil its duty and to implement all the orders passed by the Authority. The Board of Directors shall develop its by-law, organizational structure, as well as all the financial and administrative aspects of the Authority and its executive body.

**Concerning the sustainability principle:**

The Constitution and the Law stipulated the full dedication and the full-time seconding of the board of directors for 6 years. A system shall be developed for renewing the members every three years, as well as for the leadership level at the permanent executive body.

**Concerning the comprehensiveness principle:**

The Constitution and the Law stipulated that the Authority shall handle all the public elections and referenda conducted in Egypt; namely the Presidential elections, parliamentary elections, local councils' elections and referenda. There will be no separate bodies for each of the aforementioned election types as previously adopted.

**Concerning the impartiality, integrity and transparency principle:**

The Constitution and the Law encompassed numerous aspects and procedures that achieve these concerns. The Authority is solely competent to administer referenda and elections of the president, the parliament and the local councils. The Authority shall organize all the related operations and supervise the same with full independence and impartiality. It is not permissible to interfere in the work or jurisdiction of the Authority. In this framework, the Authority endeavors to safeguard the right to vote to every voter and to ensure the equality

of all voters and nominees, .....to administer and organize all the election procedures ..... starting with the development of the voters' database, calling the voters to cast their votes in referenda and elections, determining the dates of the same, until the announcements of the final results.

The National Election Authority was keen to develop the Electoral Code of Conduct and to necessitate the application of the rules therein by all the stakeholders in the electoral process, namely:

The electoral administration, represented in the National Election Authority and its affiliated bodies on all levels, the ministries and concerned State bodies that are assigned roles by the Authority.

- Voters
- Candidates, their agents and representatives
- Local and international media representatives

The Authority calls upon all the parties to abide by these rules so that the election is performed in the best democratic image matching Egypt's international and regional status over the history.

The Authority pledges to be at the forefront of those abiding by these behavioral rules as being the head of the electoral administration that controls all its aspects; concerning its preparation, organization, administration, implementation and supervision.

Following is a detailed statement of the electoral code of conduct that should be binding to all previously mentioned parties participating in the electoral process.

A detailed schedule of the violations and the incidents that may take place from any of the previously mentioned parties, concerned with the electoral process. The schedule shall specify the consequent penalties whether punitive, measures or procedural and their legal grounds.

# **Electoral Code of Conduct**

**First: Regarding Electoral Administration (the National Election Authority and its affiliated bodies),  
Ministries and Concerned State Bodies that are  
Assigned Roles by the Authority**

### **The electoral administration is represented in:**

- **The National Election Authority and its affiliated bodies, (Monitoring committees for observing the election in governorates – general committees – polling stations).**
- **Ministries and concerned State bodies that are assigned roles by the Authority and under its supervision.**
- **The electoral administration**

Generally, the electoral administration, with all its different names, bodies, and assisting entities shall abide by a set of rules; represented in the necessity to commit to establishing the principles of democracy, rule of law, guarantee of equal rights to all citizens, facilitating their participation in the elections as voters and nominees, applying the full integrity criteria, impartiality, independence, transparency, efficiency, and performing all the assigned tasks professionally and accurately to the letter.

### **Following are the obligations of the electoral administration, with all its different bodies:**

#### **1- The National Election Authority**

- The National Election Authority handles the full administration and supervision throughout the election process from its onset and until its completion. The previously stated bodies in addition to a number of ministries and concerned State bodies, aid the Authority during the election duration.
- The Authority shall abide by the precise implementation of all the stipulations of the Constitution, legislations and resolutions issued by its Board of Directors concerning the election process. The Authority shall cooperate with all the parties concerned with the election process, including the voters, nominees, representatives of the civil society organizations, local, foreign and international media with the utmost transparency, impartiality and integrity. The Authority shall be at equal distance from all, rendering all the facilities in the framework of the constitutional and legal regulations and the decrees organizing the elections.
- The Authority shall publish all its decrees on its website ([www.elections.eg](http://www.elections.eg)), allowing all the election process parties to receive the resolutions issued and to communicate with the Authority. In addition to publishing the material that the law necessitates publishing in the official gazette.

The Authority had taken up the initiative to be the first to apply the code of conduct and to be keen to execute the rules stipulated in this code of conduct on the Chairman of the Board and the Board members, the Executive Director, his Deputies, members and all the employees of the Authority. The Authority and the aforementioned persons shall refrain from the following items that are prohibited by the law:

- 1- Nomination in any of the elections during the term of their work in the Authority.
- 2- Exercising any job or profession or business, with or without pay during their work for Authority.
- 3- Disclosing any secrets, information or data concerning the nominees that they acquired due to their work for any person, local or foreign entity.
- 4- Receiving or accepting any monies, privileges, gifts, grants or donations of any kind from any foreign or local entity.
- 5- Participating in any form in the publicity campaigns, referenda or elections.

- 6- That any of them be related to any of the nominees until the fourth degree, in any elections.

The Board of Directors, the executive body, those who work for it, the heads, members and trustees of the entities affiliated with the Authority that supports it during the election period shall be prohibited from the following:

- 1- Interfering directly or indirectly to influence the election process for any nominee, including the election campaigns, electoral process of performing or participating in funding the election campaigns or gathering donations for any nominee.
- 2- Using any of the authorities granted to them for fulfilling personal interest or for illegally affecting the nominees or the voters or the partners in the election process during the period they work for the elections.
- 3- Stating or expressing any political or ideological point of view.
- 4- Refraining from performing any task in the election process that may be considered as a sort of discrimination based on the race, gender, religious or political beliefs or social status or any form of discrimination.
- 5- Carrying any sign or wearing any clothes that has political implication favoring any political party or nominee. Putting any stickers or advertisement that indicate or refer to a political or ideological inclination.
- 6- There should not be any conflict of interest, whether real, evident or possible between his duties and job tasks and any of the nominees or the partners in the electoral process.
- 7- None of them should be related to any of the nominees, until the fourth degree, within the constituency in which the committee operates in any of the elections. In such a case, he shall inform the chairman of the Authority in writing upon tendering the nomination papers.
- 8- The chairman and the board members, the executive director and his deputies shall tender their wealth proclamation upon appointment and at the end of each year and upon leaving their position.

**Generally, all the persons administering the election process should:**

- 1- Abide by the stipulations of the laws, regulations, instructions and procedures in force that organizes the election process.
- 2- Adopt the principles of integrity, impartiality, justice and transparency.
- 3- Abstain from any practices that may harm the integrity of the election process or hindering it in any way.
- 4- Work on solving the problems that arise during the election process and to rule in the complaints, objections, appeals filed and to be impartial with all parties.
- 5- Abide by the equality and equal opportunity principles as well as impartiality to any party in the election process.
- 6- Guarantee the freedom of all those participating in the election, while observing the boundaries of their responsibilities and the tasks and limits stated in the legal framework of the election process.
- 7- Maintaining the secrecy and security of the documents, material, equipment and outputs of the election process, including the ballot boxes, lists of registered voters and voters who cast their ballots, forms, stamps, documents, electoral and vote counting minutes and proceedings. They shall also refrain from conveying, publishing or

changing or using any of the afore-stated for achieving personal benefit, for themselves or others.

- 8- Observing transparency in administering the election process, adopting clear and well declared policies and work procedures that are documented and made available for all the parties. Adopting precision and credibility concerning the collection and disseminating of all the data and information related to the elections.
- 9- Receiving all the voters, candidates, their agents and representatives well, guiding them and protecting their rights in all phases of the electoral process. Providing support to the representatives of civil society organizations, and national and international media outlets, whom are partners in the observation of the election.

#### **b. Ministries and concerned State bodies that are assigned roles by the Authority and under its supervision.**

Under the framework that all the ministries and the concerned State bodies should fundamentally support the National Election Authority in performing its noble message that aims at conducting an operation process that is distinguished by a high level of impartiality, integrity, transparency, precision in preparation, organization, implementation, and precise execution of the Constitutional, legal and administrative resolutions stipulations. In fulfilment of Article 21 of the National Election Authority Law no. 198/ 2017, that provides that: “all the State bodies shall abide by supporting the Authority in exercising its authorities and fulfilling its duties and shall supply the Authority with all its required data, documents, information and the like that are necessary for performing its work. On the onset of the election announcement, the ministries and other concerned State administrative bodies shall abide by naming their representatives for coordinating with the Authority in performing its duties and responsibilities.

#### **Ministries and other concerned State administrative bodies shall abide by the following:**

##### **Ministry of Defense:**

- 1- The Ministry of Defense shall participate with the Ministry of Interior in securing the electoral stations, including the general committees and polling stations, and election monitoring committees in the governorates. This cooperation shall begin at the start of the election process and until declaring the results and transporting all the electoral documents.
- 2- Securing the voters upon casting their votes in all the polling stations across the national level.
- 3- Instructing all the officers and personnel working on securing the election sites, to treat the voters well and to support them. They should also be directed to abide by the instructions given by the presiding officers of the polling stations and heads of the general committees; judiciary entities and organizations members.

##### **Ministry of Interior:**

- 1- The Ministry of Interior shall participate with the Ministry of Defense in securing the electoral sites, including the general committees and polling stations, and election monitoring committees in the governorates. This cooperation shall begin at the start of the election process and until declaring the results and transporting all the electoral documents.

- 2- Securing the voters upon casting their votes in all the polling stations nationwide.
- 3- Instructing all the officers and personnel working on securing the election sites, to treat the voters well and to support them. They should also be directed to abide by the instructions given by the presiding officers of the polling stations and the heads of the general committees; judiciary entities and organizations members.
- 4- Assisting the election monitoring committees in the governorates in all things related to its role in preparing and organizing the election process.
- 5- The Civil Status Affairs Sector, affiliated with the Ministry, is to provide the Authority with any updates that may occur to the voters' database and to update the database and refine it in preparation for the elections.
- 6- Prepare and complete the training programs required for those to participate in the administration, organization and securing the election process from the Ministry personnel in cooperation with the Authority and under its supervision.
- 7- Work on providing the Authority with the logistic needs and supplies for the election process; e.g. voting booths, clear plastic ballot boxes, indelible ink, plastic seals, etc.
- 8- Drafting the administrative constituency division proposal (general committees, election centers, election sites, polling stations in cooperation with the Authority and under its supervision.
- 9- Setting a security plan required for all the election process stakeholders and providing its requirements.
- 10- Fulfilling the comprehensive public security concept for all electoral stakeholders.
- 11- Confronting any illegal incident during all the election process phases.

#### **Ministry of State for Local Development:**

- 1- The Governors, in each governorate, shall coordinate and fully cooperate, elevate all the impediments that faces the judges, and the heads of the election monitoring committees. They will extend this support during the preparation for the election process or during the elections.
- 2- Develop an accurate mechanism for selecting the civil servants to be employed as secretaries for the polling stations. This shall be performed by defining the selection basis that should be satisfied, especially that they are not affiliated with any political party or have religious predispositions. The selected personnel should be known for their efficiency, integrity, good reputation and behavior. The Ministry shall assist in finalizing the personnel transfer procedures and their arrival to the election stations specified.
- 3- Participating in the training program required for the administrative employees who will participate in the administration and organization of the election. These personnel shall be supplied with the administrative and organizational information required for enhancing their standard prior to the election.
- 4- Assisting the Ministry of Interior in determining the general committees, polling and counting committees. Supplying these with all the necessary supplies for boosting the ability of its utilities; including the lighting, ventilation, administrative preparation, residential arrangements, cleanliness, providing the means of comfort for the elderly and those with special needs.
- 5- Establishing open spaces with seats, in front of the polling centers that will witness many voters, for protecting the voters from the weather conditions and providing means of comfort for them.

### **Ministry of Foreign Affairs:**

- 1- Participating in the preparation of the voters' database for the Egyptians living abroad.
- 2- Abiding by the precise rules for selecting the personnel to administer the election from the Ministry of Foreign Affairs employees.
- 3- Participating in developing and implementing the voting mechanism for Egyptian voters living abroad.
- 4- Providing all the means of comfort and facilities for Egyptian voters living abroad.

### **Ministry of Communication and Information Technology:**

- 1- Studying the possibility of benefiting from technological advancement in the field of information and communication and implementing these updates and developments to the various aspects of the election process.
- 2- Studying the possibility of establishing a central operation control unit in Cairo and others in the governorates for following-up the election process. All the State concerned bodies are to be represented in this room and it shall be under the supervision of the National Election Authority.

### **State Information Service:**

- 1- Support holding the National Election Authority press conferences.
- 2- Facilitate the mission of the certified foreign correspondents and guests. Presenting them with the necessary media material and issue their licenses in cooperation with the National Election Authority.
- 3- Coordinate with the Authority when responding to any remarks raised by international media. Clarify the facts.

### **National Council for Human Rights:**

Supporting the Authority for setting the necessary guarantees for safeguarding the constitutional and legal rights of the citizens, and for fulfilling the equal opportunity for all as long as they hold equal legal status. Assisting the Authority in the monitoring of the election process in order to guarantee the right to vote for each voter and to achieve equality among the voters and nominees. Report any violation or infringement on human rights.

### **National Council for Women:**

Assisting the Authority to establish all the procedures that enable women to enjoy their constitutional right.

### **National Council for Disability Affairs:**

Assisting the Authority to prepare an understanding of all the procedures to facilitate the process for voters with special needs, in order to enable them to enjoy their constitutional right at ease.

# **Electoral Code of Conduct**

## **Second: Regarding Voters**

**The Constitution and the Law grant rights to the Egyptian citizens, on the other hand it imposes obligations regarding their practice of political rights. Each Egyptian citizen has the right to vote as long as he/she has reached 18 years of age, provided that he/she is not deprived of practicing his/her political rights or is exempted of it or his/her right is suspended. In such case he/she shall enjoy his/her political rights pursuant to the stipulations of the Law no. 45/ 214 on Regulating the Exercise of Political Rights. The person who acquired the Egyptian nationality shall not be registered in the voters lists unless at least five years have lapsed since acquiring the nationality.**

- I. Every voter whose name was not entered into the voters' database wrongfully or a mistake was made in his data entered or if the voting conditions became satisfied for him and the reason for not adding his/her name has been altered after the issue of the voters' database, such person may demand the registration of his/her name or the correction of his/her data.
- II. Every voter whose name was entered into the voters' database has the right to demand the entry of the person whose name was neglected wrongfully or to demand the deletions of the name a person that was wrongfully entered or to demand the correction of this person's entered data. This shall be performed pursuant to the stipulations of the Law no. 45/ 214 on Regulating the Exercise of Political Rights.
- III. Each voter has the right to state his opinion freely, secretly and with ease. The Authority was keen to distribute the polling stations according to the geographic distribution of the voters. This was intended for locating the stations close to the residence of each voter. The Authority has provided various inquiry means for identifying the polling station that the voter is registered in – also provided all the guarantees by virtue of the full judicial supervision.

**Concerning the presidential election, a citizen has the right to the following:**

1. Elect the president.
2. Nominate himself for the presidency.
3. Cast his/her vote at the concerned polling station, in case he/she is present in a different governorate, other than the one stated on his/her personal National ID. This shall be performed according to the procedure determined by the National Election Authority.

Voters have rights that are guaranteed by the Constitution and the Law. The Authority was eager to safeguard these rights. Nevertheless, voters also have obligations that they should fulfill as follows:

- Should not miss voting in protection of his/her Constitutional right and to avoid the implementation of the financial penalty on those failing to vote, pursuant to the stipulations of Article 43 of the Presidential Election Organizational Law no. 22/ 2014.
- Abide by the public order and behavior during practicing the right to vote. He/she shall also deal with those administering the voting process with due respect.
- Upon showing at the polling station, you are not to carry a gun even if it was licensed, or ammunition, explosives, fireworks, or combustible materials or any other tools or materials that endanger individuals, establishments or properties.

- You should have your National ID or Passport that carries your ID number on going to the ballot station to practice your voting right.
- Make sure you sign or put your finger print in front of your name in the voters list in the polling station and to immerse your finger in the indelible ink.
- Leave after casting your vote in order to not crowd the polling station and to give the opportunity for others to cast their vote.
- Do not engage in fraudulent behavior by casting your vote more than once.
- Cast your vote in a proper manner, pursuant to the instructions and explanatory material presented by the Authority, so that your vote is not annulled.

# **Electoral Code of Conduct**

## **Third: Regarding Candidates, their Representatives and Agents**

**The candidate in Presidential elections has various rights. Most importantly:**

- Running for the position of President of the Republic so long as he fulfils the necessary requirements, and can submit the required documents by law.
- Right to object before the NEA on the application of another candidate provided that the reasons are stated, in line with the procedures set by the Authority.
- Anyone who has been excluded from the candidacy has the right to appeal that decision, two days following his notification.
- The candidate has the right to withdraw his candidacy through a written request submitted to the NEA before the final list that includes candidates' names is announced. He also has the right to withdraw candidacy by notifying the NEA in writing 15 days before Election Day.
- Has the right to electoral campaigning that he or his supporters conduct, with the aim of convincing voters to choose him. This takes place through public and limited sessions, discussion groups, printing of electoral materials, using audio-visual, print and electronic media, as well as other activities.
- Each candidate has the right to receive in-kind and cash donations from natural Egyptians, so long as the donation provided by each natural person does not exceed 2% of the ceiling of the campaign, which is set at 20 million EGP, and 5 million EGP in the case of a run-off.
- Each candidate can delegate to another person the work and procedures required to implement the provisions of the Presidential elections law. This takes place through a notarized power of attorney, while providing the NEA with an official copy herewith.
- He also has the right to appoint in each polling station, formed by the NEA, a representative from amongst the voters who represents him as an agent. However, two days before election day, he must notify in writing the concerned Head of the Court of First Instance (In his capacity as the Head of the Committee Monitoring the Electoral Process in the Governorate).
- He also has the right to appoint a representative to attend the vote count in polling stations and general committees. The candidate, his agent or representative has the right to receive a copy of the report that includes the aggregate summation of the counting results.

**He also has several responsibilities that he, his agents, and representatives must abide by. Most importantly:**

- The need to be aware of all decrees issued by the NEA in relation to regulating the election, abiding by these decrees, and implementing them accurately.
- Respecting members of the NEA, Heads of General Committee and Presiding officers of the Polling Stations, responsible for running the election.
- Disclosing in writing, when submitting nomination documents, if there is any family relationship till the fourth degree with the Chairman, members of the Authority, Executive Director or his Deputies, members or staff of the executive body, Heads of general committees or presiding officers of the polling stations, or monitoring committees in the respective geographical location.

- Being fully aware of all documents necessary to accepting nomination documents; mainly the endorsements of members of the House of Representatives based on the template prepared by the NEA that includes information on the individual wishing to become a candidate, information of the member of parliament carrying out the endorsement, in addition to a certification that the latter has not endorsed any other. This is in addition to the support of citizens who have the right to vote based on a template like the one mentioned earlier, notarized by one of the notarization offices, and any other documents required by law or NEA decrees.
- Abiding by the announced timelines regarding the dates of submitting candidacy documents, as well as the candidate's desire to withdraw from the electoral process.
- Abiding by the timeline for starting and ending campaigning, as well as the date for the start of the electoral silence.
- Abiding by the provisions of the Constitution and law regarding electoral campaigning, in addition to decrees issued by the NEA in this regard.

**The individual wishing to become a candidate is prohibited specifically from the following:**

- 1) Exposing the sanctity of the private life of any candidate;
  - 2) Threatening national unity or using religious slogans or slogans that lead to discrimination among citizens;
  - 3) Using or threatening to use violence;
  - 4) Offering gifts, donations, financial assistance in cash or in kind or other benefits or promises to offer such, directly or indirectly, in a way that influences voters for the benefit of a candidate.
  - 5) Using buildings, establishments, or means of transportation owned by the State or any institutions or public companies for electoral campaigning in any shape of form;
  - 6) Using government facilities, public utilities, worship houses, universities, schools, other public or private educational facilities, premises of non-governmental organizations, or the funds of these entities in electoral campaigning. In this regard, the individual wishing to become a candidate is prohibited from writing on public or private walls;
- Abiding by the regulations on funding and expenditures, in a way where spending on the campaign does not exceed 20 million EGP and that the ceiling for spending in a run-off does not exceed 5 million EGP.  
The candidate abides by opening a bank account in the national currency in one of the branches of Al Ahly Bank, or the Bank of Egypt. In this account, the candidate will deposit:
    - 1) What he allocates for spending on the campaign.
    - 2) What he receives as monetary donations from any Egyptian person, organization, or Egyptian entity.
  - The candidate and the Bank must notify the NEA on a regular basis of what is being deposited into the account, including the source of the deposit.

- The candidate must also notify the NEA of what is being spent out of the account within the set timelines and in accordance with the set procedures.
- The candidate cannot, in any case, spend money on campaigning from outside the account.
- The candidate is prohibited from receiving any contributions, financial or in-kind support, from any legal person (Egyptian or foreigner), any country, entity, foreign organization, as well as any entity where a foreigner contributes to its capital, or any natural foreigner.
- The candidate shall submit to the NEA a statement showing total sums obtained as well as their source and nature and amount and areas of expenditure on the electoral campaigning within 15 days from date of announcing the election results.

# **Electoral Code of Conduct**

## **Fourth: Regarding Representatives of Local, Foreign and International Civil Society Organizations**

In line with international standards that fulfill the integrity and freedom of the election, and in line with the Universal Declaration of Human Rights; the International Covenant on for Civil and Political Rights, and other relevant international and regional treaties; As a result of the NEA being keen on achieving the objectives of neutral observation by local, foreign, and international civil society organizations, which is supporting the efforts aiming at protecting the integrity of the election through observing the electoral process and filing accurate and objective reports to evaluate the election, and to ensure that the election has taken into account the principles of integrity, transparency, as well as the provisions of the Constitution and laws and electoral regulations, as well as working towards enhancing civic participation at a broader range in the electoral path, enhancing the path of democratic reform that must be achieved within the framework of responsibilities that these organizations and their representatives must abide by - most importantly:

- 1) Respecting sovereignty of the State.
- 2) Respecting human rights and basic rights of its people, their customs and religious and social traditions.
- 3) Respecting laws and rules being implemented in the country.
- 4) Respecting electoral authorities responsible for managing the electoral process, represented by the NEA and affiliated bodies.
- 5) Abiding by what is issued by the electoral authority, government, security agencies in the state regarding aspects of the electoral process.
- 6) Preserving political neutrality and not exercising any activity that is in favor of a specific candidate party, movement, or is related to any case that could cause conflict in the electoral process. It is important that they do not undertake any activity that is in favor of any political contestant, or that could benefit it, such as wearing partisan colors or symbols or receiving anything of value from contestants or politicians.
- 7) Not to intervene in or hinder the electoral process; respecting managers of election committees, and abiding by all instructions regarding observation. This applies to decisions before the election, during the electoral process, and after; in addition to the operations after the election.
- 8) Not to influence voters during the electoral process.
- 9) Presenting the observation badge issued by the NEA, and wearing it clearly for electoral officials.
- 10) Not to release any statements to the media, and not to provide information to the media regarding the electoral process. They also cannot, through themselves or their organizations, release information on the results of the election and must wait for the official announcement of the results by the NEA.
- 11) Abiding by the accurate and professional observation of the electoral process and not to carry out any activity that could violate the secrecy of information, as well as abiding by the procedures and laws governing the electoral process.

- 12) Cooperating with other election observers. Each observer or representative of an organization must cooperate with other observers so that the electoral process can continue smoothly and without any obstacles.
- 13) Not to carry or show any weapons while observing the electoral process.
- 14) Certification to abide by the code of conduct. Each observer must certify that he/she has read the code of conduct and signs that they will abide by all its provisions. In case of any violations, the NEA has the right to run an investigation. In case of an extreme violation, the observer might be prohibited from observation.

# **Electoral Code of Conduct**

## **Fifth: Local and International Media Representatives**

Media plays an essential role in the electoral process. It is a main method in educating and raising awareness on the importance of elections and encouraging participation. This is in addition to highlighting the positive consequences of such participation in enhancing democratic practices, as well as the legal provisions related to voter's exercising their right to vote.

Media coverage of elections and referenda is considered among the practices of free press, print audio-visual, and electronic media in line with article 70 of the Constitution.

It is also considered a guarantee for the transparency and integrity of elections and referenda.

This is in addition to the fact that media is considered a method of electoral campaigning that can be used by candidates.

As the NEA appreciates the role of media in enriching the performance of all electoral stakeholders and its role in voter education, given the how media participation is important, it is essential that the role of media in communicating with all parties is facilitated. It is also important that all information is made available for the media to carry out its role effectively. Exercising such role must also be guided by good practices that would guarantee expanding the benefits of its participation in the electoral process.

The first of these standards/criteria is what is related to all media, journalists, media outlets (local, foreign and international) abiding by the following while exercising their work:

- Provisions of national laws regulating press and media.
- Legal regulations organizing the electoral process, as well as the decrees issued by the NEA in relation to regulating this process.
- Taking into consideration the professional regulations in the media code of conduct as well as code of conduct of professional media performance.
- Abiding by regulations of: media coverage, electoral campaigning, polls, as follows:

### **In relation to media coverage:**

- 1) Considering impartiality and objectivity in line with common professional standards. Media coverage should be in the context of shedding light on candidates' platforms, and this specifically requires considering the following:

Not to confuse an opinion with news and vice versa.

- Accuracy in transferring information and avoiding obscurantism. Acting quickly to correct any information that was transferred, in case it is inaccurate.
- Using headlines relevant to the body of the news item.
- Not to publish photos irrelevant to the topic covered.
- Avoid confusion between terms, impermissible mainstreaming, or quoting sentences from statements to appear contrary to such statements.
- Not to ask a voter about the candidate whom he/she will elect or elected.
- Not to conduct any opinion polls in front of election committees or within the polling center.
- Revealing the electoral identity of guests.

- Avoid asking questions of a clear bias.
  - Not to deprive any party the right to reply or comment on any attack or praise.
  - Not to publish free or paid advertisements for the candidates after the deadline set for campaigning in accordance to law.
  - Not to use religious slogans to support or refuse a candidate.
- 2) No to broadcast or publish opinion polls on an election, unless they are in compliance with recognized ethics and respect citizens' right to get information

In particular, what is broadcasted about the poll should include the following:

- 1- Full information about the entity that conducted the poll.
  - 2- The entity that funded the poll.
  - 3- Sample size of those who participated in the poll, as well as the location of the sample: whether in urban or rural areas.
  - 4- The way of conducting the poll in accordance with the recognized approaches.
  - 5- The questions included in the poll.
  - 6- The method of data collection.
  - 7- Date of conducting the poll.
  - 8- Margin of error in results.
  - 9- Extent of abiding by implementing relative weights in statistical analysis of data.
- It is prohibited to publish or broadcast and polls within the five days preceding election day, and until the election is over.

### **In relation to using media in electoral campaigning:**

- 1) Abiding by the duration legally allocated for electoral campaigning.
- 2) Abiding by all provisions regulating electoral campaigning that are stated in laws and decrees issued by the NEA. Specifically, it is prohibited that electoral campaigning sheds light on the private lives of any of the candidates, or to contain any religious symbols, slogans that promote discrimination between citizens, jeopardizes national unity, or promotes hatred.
- 3) Candidates have the right to use state owned media for purposes of electoral campaigning, within the means available. These outlets must abide by ensuring impartiality and equality between candidates in a way that achieves equal opportunities and non-discrimination.

### **In relation to opinion polls:**

The Authority may grant the competent entities specialized in conducting opinion polls - upon their request – a permit to conduct a poll on the 2018 presidential election in accordance with the following terms and conditions:

- 1- To be experienced in this field and well-known for impartiality.
- 2- To abide by internationally-recognized professional and ethical principles and standards for conducting opinion polls.
- 3- To specify the owner of the opinion poll agency and the funding source.

- 4- To obtain the approval of the Central Agency for Public Mobilization and Statistics.
  - 5- To take the opinion of the State entities concerned.
    - The licensed entity is committed to provide the NEA with the opinion polls before they are announced.
    - When handling opinion polls, media will abide by the aforementioned regulations.
    - The NEA will establish committees to monitor and evaluate media performance within the period of media coverage of elections. The committee will be composed of the executive body as well as independent experts who will be responsible for:
    - Following up and monitoring, on a daily basis, all materials broadcasted on media concerning an election
  - 6- Analyzing materials in accordance with recognized ethics to identify whatever is in violation of such ethics.
  - 7- Evaluating behavior of media and its abidance by regulations set for campaigning in the constitution, law, or NEA decrees.
  - 8- Preparing a daily report on violations and presenting it to the NEA.
- In case these reports include any violations, the NEA will notify the official representative of the media outlet with its observations and its opinion through an official letter or through any other official method.
  - The official representative must send to the executive body the opinion of the media outlet regarding what it received within 24 hours from the date of notifying him.
  - If the NEA believes that the violation is proved, it can issue any of the following decrees:
    - 1- May find the reply of the media outlet sufficient – acknowledging the violation – and oblige it to publish an apology and to not commit any other violations in the future, provided that publication shall be in the same time or space of the violating coverage.
    - 2- Obliging the media outlet to publish a criticism of its editing policy concerning what has been published, provided that it is written by the NEA, who also decides on how it is published.
    - 3- Obliging the media outlet not to publish any type of coverage, or any opinion poll on the election, during the period set by the NEA.
  - The legal representative of the media outlet may submit a request asking for issuance of an order of a petition to the President of the Administrative Court to repeal the NEA’s decision in that regard.

# **Electoral Code of Conduct**

## **Penalties Resulting from Violating the Provisions of the Code of Conduct (Penalties-Measures-Procedures)**

<b>Category</b>	<b>Incident or Violation</b>	<b>Resulting Penalties or Procedures or Measures</b>	<b>Supporting Legal Provisions</b>
	Existence of a fourth-degree family relationship between one of the candidates and the heads of general committees, polling stations, monitoring committees or its members	Notifying the Chairman of the Board of Directors in writing immediately upon submitting candidacy papers by the candidate who has the relationship.	Article 24 of law 198 for the year 2017 on the National Election Authority
	Violating any of the commitments mentioned in articles (22,23,24) of the NEA law	Taking the necessary measures legally stated by the Higher Judicial Council and the special and higher councils of these entities and authorities as applicable	Article 25 of law 198 for the year 2017 on the National Election Authority
	Civil servant refusing to perform his job for no reason, in a way that results in hindering or halting polling or counting	Imprisonment for no more than 5 years	Article 45 of law number 22 for the year 2014 regulation the presidential elections
	A person who falsely declares on the form mentioned in article (11) hereof that he has not supported the applicant, or any other applicant	Imprisonment for a period of no less than 6 months and a fine of no less than L.E 5000 and no more than L.E 10,000 or either one of them	Article 42 of the same law
	A person, whose name is registered in the voter database and fails without excuse to cast their vote in the presidential election	Fine of no more than 500 EGP	Article 43 of the same law
	Anyone who uses force or violence against the head or any member of any polling station, with the intention of preventing them from performing their assigned duty or	No more than five years of imprisonment, if they failed to realize their intention. Should the offender realize their intention, imprisonment would be the penalty, and it shall be aggravated imprisonment should the offender inflict	Article 44 of the same law

	forcing them to do so in a special way	beating or cuts leading to a lasting deformity, and it shall be life imprisonment should the beating or the cuts led to death.	
	Any person who threatens the head or any member of any polling station, with the intention of preventing them from performing their assigned duty	Imprisonment for a period not exceeding two years. Should such threat results in the performance of the assigned duty in a different way, imprisonment shall be the penalty inflicted on the offender	Article 46 of the same law
	A person who insults, by gesticulation or in words, the head or any member of any polling station of the Presidential election during or due to the performance of their duty	Imprisonment for a period not exceeding two years and a fine of no less than L.E 2000 and no more than L.E 5000, or with one of these penalties	Article 47 of the same law
	A person who uses any means of terrifying or intimidating, with the intention of influencing the proper procedures of the presidential election	without realizing such intention, shall be penalized with no less than two-year imprisonment. Should they realize such intention, the penalty shall be imprisonment for no less than three years and no more than five years.	Article 48 of the same law
	1. Any person who spends on the electoral campaigning funds other than those deposited in the bank account referred to in Article (23) hereof or spends the funds deposited therein for purposes other	Fine of no less than ten thousand pounds and no more than five hundred thousand pounds	Article 49 of the same law

	<p>than those of the electoral campaigning;</p> <p>2. Any person whose expenditures exceed the maximum amount allowed for electoral campaigning;</p> <p>3. Any person who violates the ban stipulated in articles (18) and (21) hereof.</p>		
	<p>A person who intentionally destroys or damages a part of any building, facility, or means of transport used or assigned for use in the presidential elections with the intention of obstructing the electoral process</p>	<p>Imprisonment for a period of no less than three years and a fine of no less than L.E 5000 and no more than L.E 30,000. Additionally, they shall be sentenced to pay the cost of the destruction or damage they caused.</p>	<p>Article 50 of the same law</p>
	<p>Whoever abducts, conceals, or damages any paper related to the presidential election with the intention of changing the result thereof or with the intention of causing the election to be repeated or disrupted</p>	<p>Imprisonment for a period of no less than two years</p>	<p>Article 51 of the same law</p>
	<p>1. Any person who uses force or threat to prevent someone from casting his vote in presidential elections or to force him to do so in a certain way;</p>	<p>Imprisonment for one year together with a fine of no less than L.E 1000 and no more than L.E 5,000, or either</p>	<p>Article 52 of the same law</p>

	<p>2. Any person who gives, offers or pledges to give someone a benefit, for himself or for someone else, in order to force him to cast his vote in the presidential election in a certain way or abstain from casting his vote; and any person who has accepted or demanded a benefit of that kind, for himself or for others.</p>		
	<p>Any person who violates the provisions governing the electoral campaigning as stipulated in Article (19) hereof</p>	<p>A fine of no less than L.E. 20,000 and no more than L.E. 200,000</p>	<p>Article 55 of the same law</p>
	<p>Any person who violates the provisions of article (24) hereof</p>	<p>A fine of no less than 10,000 and no more than 200,000 or either. The funds received shall be confiscated</p>	<p>Article 56 of the same law</p>
	<p>Attempts to commit felonies stipulated in the preceding articles</p>	<p>Shall be subjected to the penalties prescribed to consummate offense.</p>	<p>Article 57 of the same law</p>
	<p>Declaring in writing while submitting candidacy documents the existence of a fourth-degree family relationship with the Chairman, board members of the NEA, Executive Director or his Deputies, any of</p>	<p>Possibility of seconding a replacement for any of the mentioned personnel in line with legal provisions.</p>	<p>Article 24 of law 198 for the year 2017 on the National Election Authority</p>

	the members of the executive body or its staff		
Regarding Representatives of local, Foreign and International Civil Society Organizations	Violating the provisions mentioned in NEA decree number 8 for the year 2018 on the rules and dates on observation for Egyptian, foreign and international civil society organizations	The NEA could revoke the accreditation issued to any observer. The accreditation of the organization may also be revoked if proven guilty. Notwithstanding the penalties stated in law 45 for the year 2014 regulating the exercise of political rights	NEA decree number 8 for the year 2018 on the rules and dates on observation for Egyptian, foreign and international civil society organizations
	Discrimination between candidates while using state owned media outlets for the purposes of electoral campaigning	Any measures that the NEA sees fit including issuing a decree for the immediate halting of the violation, notwithstanding disciplinary measures against the violator	Article 20 of law 22 for the year 2014 regulating the Presidential election
	Violating the regulations of media coverage	The NEA may revoke the accreditation of any media representative in case they violate the set regulations in the NEA decrees. It may also revoke the accreditation issued to the institution of the violator. The NEA may carry out the procedures mentioned in its decree number 17 for the year 2018	Article 37 of law number 45 for the year 2014 regulating the exercise of political rights, as well as NEA decrees numbers 9 and 17 for the year 2018.