

N. Egypt

1. Background

Mass protests in early 2011 led to the resignation of autocratic president Hosni Mubarak. The Supreme Council of the Armed Forces (SCAF) assumed power in a constitutionally questionable way and has since then been leading the transitional process. Significant – and not uncontroversial – additional steps included dissolving parliament, suspending the constitution and the successful vote on constitutional changes, which was the basis for the SCAF to implement an interim constitution.

For the parliamentary and presidential elections, which finally took place at the beginning of 2012, Egypt's electoral law had to be modified according to the guidelines laid out in the interim constitution.

2. Projects

a. Advice on Egypt's electoral law

At the beginning of June 2011 an Egypt Team, formed at short-notice, began aiding the development of a new electoral law. This started with the visit of Constitutional Reform Committee member and Deputy Chief of the Supreme Constitutional Court Hatem Bagato to Heidelberg. A further workshop followed in Cairo a few weeks later.

Many specific matters of electoral law were discussed, such as the construction of a mixed proportional representation and first-past-the-post system based on the German model and taking the Egyptian interim constitution into consideration. Other matters discussed included the idea that 50% of the members of parliament must be "workers and farmers", the admission of parties and individual candidates, campaign financing, monitoring of the voting process and the conversion of election results into parliamentary seats.

b. Study visit for members of the Egyptian Electoral Commission

In May 2012, a working group organised a study trip for members of the Egyptian presidential elections committee; the presidential elections were of great significance to the future of the country. Even more important was that the elections were carried out in a careful and correct manner. The project activities aim to help in this area.

The fact-finding visit initially brought the delegation to Kiel where they met the Land Returning Officer of Schleswig-Holstein. On the day of the German state elections (6 May 2012), the Egyptian electoral commission visited a polling station in the state capital of Schleswig-Holstein. The delegation familiarised themselves with the organisation of election processes in the context of the German state elections. Additionally, the delegation visited the Federal Returning Officer at the Federal Statistical Office as part of the programme. The Federal Returning Officer, Mr. Egeler, reported to the members of the Egyptian electoral commission on his tasks and the function of the Federal Returning Officer in a discussion lasting several hours. This was met with great interest amongst the Egyptian guests and a stimulating discussion followed regarding, for example, the political position of the Federal Returning Officer, his status as a civil servant and his independence.

Overall, the Egyptian delegation found the study visit to be extremely informative and enriching. The Egyptian electoral system and the mechanisms for election management are only limited in comparison with the German processes. Yet this study visit helped to illustrate how an independent electoral commission functions in a pluralistic and democratic system.



The Egyption Election Commission visits the Federal Returning Officer at his office in Wiesbaden in summer 2012

3. Further planning

The Max Planck team currently has no plans for further project activities in Egypt. But as Egypt is politically and economically the most important country in North Africa, and traditionally functions as a legal role model, it will continue to play a role within the framework of the regional project "Constitutional reform in Arab countries".