

RELEASE IN FULL

**From:** Sullivan, Jacob J <SullivanJJ@state.gov>  
**Sent:** Sunday, June 17, 2012 8:13 PM  
**To:** H  
**Subject:** FW: Egyptian Presidential Election Sitrep - June 17, 2400

Latest from Egypt below.

**From:** Dibble, Elizabeth L  
**Sent:** Sunday, June 17, 2012 8:02 PM  
**To:** Sullivan, Jacob J; S\_SpecialAssistants  
**Subject:** Fw: Egyptian Presidential Election Sitrep - June 17, 2400

**From:** Caudill, Mark A  
**Sent:** Sunday, June 17, 2012 07:50 PM  
**To:** Egyptian Election Reports  
**Subject:** FW: Egyptian Presidential Election Sitrep - June 17, 2400

FYI

SBU  
This email is UNCLASSIFIED.

**From:** SMART Core  
**Sent:** Monday, June 18, 2012 1:38 AM  
**To:** Caudill, Mark A

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**MRN:** 12 CAIRO 1208  
**Date/DTG:** Jun 17, 2012 / 172335Z JUN 12  
**From:** AMEMBASSY CAIRO  
**Action:** WASHDC, SECSTATE IMMEDIATE  
**E.O.:** 13526  
**TAGS:** PGOV, PREL, KPAO, KDEM, KMPI, EG  
**Captions:** SENSITIVE, SIPDIS

**Reference:** A) 12 CAIRO 1206  
 B) 12 CAIRO 1204  
 C) 12 CAIRO 1190  
 D) 12 CAIRO 1188

**Subject:** Egyptian Presidential Election Sitrep - June 17, 2400

1. (SBU) Summary: As the polls closed in day two of Egypt's presidential elections the Supreme Council of the Armed Forces (SCAF) announced that it had issued a supplement to the March 2011 Constitutional Declaration. The new language will be officially released on June 18, but a leaked copy is circulating in the media. The reported "Supplemental Declaration" indicates the SCAF will relinquish executive power and adds language giving the president, with SCAF approval, the right to declare war. It preserves SCAF control over its own affairs and indicates the SCAF will maintain legislative powers until a new parliament is elected. Contrary to expectations, it preserves the current composition of the Constituent Assembly, but adds that should there be conflict the SCAF may unilaterally name a new Assembly and gives the Supreme Constitutional Court (SCC) the power to arbitrate differences. The amended Declaration requires a new constitution be drafted within three months of its formation and that a referendum endorsing the new constitution take place one month before a new round of parliamentary elections.

2. (SBU) Summary Continued: Voting on the second and final day of Egypt's presidential elections has concluded and polls closed peacefully at 2200. Turnout on day two generally appeared higher after sunset, however Presidential Election Commission (PEC) members estimated turnout peaked at 40-50 percent. According to election "witness" accounts the counting process was underway as soon as the polls closed. The counting process continues to proceed without incident. There were reports of some violations on day two. However, it does not appear that any are likely to affect the outcome. Official results are now expected Thursday, June 21. Both campaigns have told the media they believe their candidate is in the lead. As of this submission, only 2.5 million or so votes out of 20 million have been counted, with Morsy in the lead. End Summary.

### **Supplemental Constitutional Declaration Issued**

3. (SBU) On June 17 the SCAF announced it had issued a supplemental Constitutional Declaration. The document, now unofficially posted on the Youm 7 website, includes six new articles that clarify key aspects of the transition. It is expected to be formally published in the Official Gazette on June 18. We so far have been unable to verify key elements. The Declaration does not significantly amend the powers of the new president, giving him the almost all executive powers currently accorded to the SCAF under Article 56 of the Constitutional Declaration of March 2011. Among these are initiating legislation, approving public policies and the budget, calling the parliament into session and ending such sessions, issuing and vetoing laws, appointing and relieving ministers, and pardoning or reducing criminal penalties. However it notes that the SCAF, in its current formation, will manage all military affairs, including military appointments and its budget, until a new constitution is drafted.

4. (SBU) The new civilian president has also been given the right to declare war, upon SCAF approval, and adds language allowing the president to call on the SCAF in case of "internal disturbance" to protect vital state institutions. The amended Declaration clarifies that the SCAF will retain all legislative powers until a new parliament is elected. According to the provisions posted online, Egypt's new president will swear his oath of office in front of the Supreme Constitutional Court (SCC) and not the People's Assembly as originally drafted.

5. (SBU) The document circulated by the media also provides that the current Constituent Assembly, as elected by the now dissolved People's Assembly, will stay in place as long it is able to function. If not, the amended Declaration allows the SCAF to compose a new Assembly within a week that will be representative of all currents in society. It also requires that the Assembly draft a new constitution within three months (half the

time set out in the original declaration) starting from date of its composition. A constitutional referendum will take place within 15 days of the constitution's completion and parliamentary elections one month after a public referendum approving the constitution.

6. (SBU) The Declaration also gives the SCC the authority to resolve differences raised during the constitution drafting process. Specifically, it allows that if the new president, the SCAF or one-fifth of the members of the Assembly believe any draft article in the constitution runs contrary to the revolution or its aims, the interests of the country, or constitutional principles set out in previous constitutions, either of the three have the right to request the Assembly "review" the article. If after 15 days there is no consensus, the SCC will review the article and issue its ruling within seven days. The new language in the declaration notes that any decision taken by the SCC on those articles is binding on all parties.

### **Sunset Sees Numbers Increase**

7. (SBU) Although voter turnout remained highly variable depending on the polling station, larger numbers of Egyptians were seen heading to the polls after sunset offered some relief from the day's sweltering heat, with polling stations remaining open until 10:00pm. Government public-service announcements ran throughout the day to persuade citizens to exercise their franchise. Local media reported relatively few voters seemed enthusiastic about the choice between Morsy and Shafik but that most nevertheless were confident in the process and the importance of making their voices heard. "All is good and safe," a plainclothes police officer told a visiting Embassy team at a countryside polling station near Alexandria.

8. (SBU) Overall, however, voter turnout for the run-off appears to have been low. PEC Vice President Maher Al Beheiry told Al Jazeera Al Mubashara that 40 percent of eligible voters participated. Observers Without Borders, echoing reports from Egyptian civil society organizations participating in the Egyptian Coalition for Election Observation (ECEO, led by Hafez Abu Seada of the Egyptian Organization for Human Rights), estimated that turnout had reached 42 percent by 1800. Workers at several polling stations in downtown Cairo estimated that perhaps 50 percent of voters had cast their ballots by closing time. Voters in Manial, a Cairo district where Morsy is popular, told an Embassy team that turnout there reached 60 percent.

### **Peaceful Closures and Counting Underway**

9. (SBU) There have been no reported incidents of violence or other problems associated with the closing of the polls at 2200. Counting procedures began at individual polling stations immediately after they closed. Poll workers, in the presence of security personnel and accredited "witnesses," opened the ballot boxes and began manual tabulation of the paper ballots.

10. (SBU) According to National Council of Human Rights Secretary General Mahmoud Karem, once the contents of a box are tabulated, a report is prepared and signed by the senior judge of the polling place and witnessed by another poll worker (often another judge) and the senior security forces officer present (usually an Army officer). Karem said the reports are bundled with the ballots and placed back into the ballot boxes, which are re-sealed and sent to the central tabulation site in each district. There the reports are added together with those from other polling stations to arrive at a final district-wide tally, which then is transmitted to the PEC. The ballots themselves remain under guard at each district's central tabulation site in case a recount is required.

11. (SBU) According to Embassy officers accompanying Ambassador Patterson and Representative David Dreier at polling places, the vote-counting process is proceeding apace, despite each paper ballot being painstakingly smoothed flat before being handed to poll workers for verification. Security at each site is heavy. In one polling station in the Abdeen neighborhood of Cairo, the number of invalidated ballots was

high, with some voters having scrawled insults instead of checking either box. Abdeen voters endorsed failed candidate Hamdeen Sabahi in round one of the elections.

### **Some Violations**

12. (SBU) Earlier today, PEC Chairman Farouk Sultan told the independent daily "Al Youm Saba" that pre-marked ballots (for Morsy) had been discovered in Beni Suef, Fayoum and Qena. The ECEO has documented incidents of pre-marked ballots (for Morsy) surfacing in Sharkeya and Fayoum, vote-buying (for Morsy) in Minya and Gharbeya, and group transport in Cairo and Damietta (for Morsy voters) as well as in Minya (for Shafik voters). Freedom and Justice Party youths with laptop computers with Morsy's picture as the screensaver were reported by the Egyptian Mission for Monitoring the Presidential Election (another civil society coalition) offering to help voters find their polling stations. The independent daily "Al Masrawy" reported that a Ministry of Interior is close to arresting the persons responsible for importing the "disappearing ink" pens.

13. (SBU) There has been little violence today. According to the One World Foundation (a youth leadership NGO), a gunman opened fire near a polling station in Rafah, North Sinai, prompting officials to close it for several hours. There were no reported injuries and the gunman remains at-large. Government-affiliated daily "Al Ahram," reported that several polling stations near Bir al-Abd in North Sinai were closed after clashes between Morsy and Shafik supporters in which one person was injured. A police officer was shot and wounded outside a polling station in Sharqeya, according to an "Al Ahram" text alert, no additional details have been reported and it is not clear whether the incident is election related.

### **PEC Press Conference**

14. (SBU) During a press conference at 2000, PEC Secretary General Hatem Bagato reviewed some of the violations that have been reported to the PEC "situation room." He said the most serious issue occurred in the Mashiet Nasser neighborhood of Cairo on the morning of June 17, where several people were caught with a laptop computer and CDs containing "information about military training in preparation for aggressive attacks and violence" in case of a Shafik victory. Bagato added that the individuals possessed iron rods, electric-shock devices, voter lists, and 10 cell phones when they were arrested.

### **U.S. "Witnesses" Welcomed--Mostly**

13. (SBU) Ambassador Patterson and Representative David Dreier continued to be welcomed by voters at polling stations in and around Cairo. Local media commented favorably on the U.S. effort to witness the election, noting especially Representative Dreier's use of Arabic terms and his saying "long live Egypt" at a polling center in Cairo's Qasr El Nil district.

14. (SBU) The Embassy teams that fanned out across Egypt to witness the elections were also well received, even where voters struggled to muster enthusiasm for either presidential candidate. However, at a polling center in the poor Dar El Salaam neighborhood of Cairo, a judge expressed suspicion about the visiting Embassy team's interest in Egypt's elections and opined that "America hates Arabs."

### **Youth Activists Nervous About a Close Race**

15. (SBU) Two youth activists, each of whom led a revolutionary group that participated in the 2011 revolution, told us they believed the race for president is close. They echoed others who called the election an impossible choice. While one decided to boycott, the other said he voted for Morsy. Both expressed trepidation concerning the outcome no matter who wins. They feared a Shafik victory would produce a strong

reaction from the Muslim Brotherhood (MB) or frustrated youth followed by a crackdown from security services.

16. (SBU) The activists believed a Morsy win would result in a "political battle" between the new president and the "deep state," adding that the security services might provoke violence to justify a crackdown. The two told us that they and other activists have been meeting with the MB during the past four days in order to reach consensus on how to move forward after the election.

### Early Results

17. (SBU) Early Egyptian media reports depicted a seesaw battle with neither candidate appearing to have a decisive lead. Morsy reportedly had the lead in Matrouh, Fayoum, Sohag, Minya, Beni Suef, Suez and Ismailia. Shafik was said to be ahead in Sharqeya, Qalyoubeya, Dakahleya and Luxor. At the time of this submission, slightly more than 2.5 million votes have been counted (out of approximately 20 million) and Morsy is in the lead. Population centers of Cairo and Giza have not reported in yet.

**Signature:** Patterson

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**Action Post:**

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