



**REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION**



**INSTRUCTIONS N° 01/2017 OF 04/04/2017 OF THE NATIONAL ELECTORAL
COMMISSION REGULATING 2017 PRESIDENTIAL ELECTIONS AS MODIFIED
AND COMPLEMENTED TO DATE**

JUNE, 2017

EXPLANATORY NOTE

Pursuant to Articles 2 and 139 of the Constitution of the Republic of Rwanda of 2003 Revised in 2015;

Pursuant to Article 204 of Law N° 27/2010 of 19/06/2010 relating to elections as modified and complemented to date, the National Electoral Commission is mandated to issue instructions required for the smooth running of the electoral process, when deemed necessary, and in accordance with this law.

In order to fulfil its mandate, the National Electoral Commission has prepared the following Instructions governing Presidential elections scheduled on August 3-4, 2017.

These instructions were modified and complemented by Instructions N° 02/2017 of 31/05/2017 published in the Official Gazette N° Special of June 2, 2017.

These Instructions shall regulate 2017 Presidential elections, both within the country and in diaspora. These instructions divided into the following eleven (11) chapters:

- Chapter One: General Provisions
- Chapter 2: Voters' Register
- Chapter 3: Polling staff, their responsibilities and conduct
- Chapter 4: Presentation of candidature
- Chapter 5: Election campaigns
- Chapter 6: Candidates' Representatives
- Chapter 7: Election Observers
- Chapter 8: Election Day
- Chapter 9: Vote counting
- Chapter 10: Election Process in diaspora
- Chapter 11: Miscellaneous and final provisions.

Eleven (11) appendices for use in the electoral process are also attached to these Instructions.

The National Electoral Commission may issue additional Instructions complementing these instructions, when deemed necessary.

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The Council of Commissioners,

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in its Articles 2 and 139;

Pursuant to Law N° 27/2010 of 19/06/2010 relating to elections as modified and completed to date, especially in its Article 204;

Pursuant to Law N° 31/2005 of 24/12/2005 determining the organisation and functioning of the National Electoral Commission as modified and complemented to date, especially in its Articles 3 and 5;

Considering that in order to have free and fair elections, Instructions governing such elections should be well drafted and implemented;

After consideration and approval in its meeting of 04/04/2017;

Has issued the following instructions:

CHAPTER ONE: GENERAL PROVISIONS

Article One: Purpose of these Instructions

Without prejudice to provisions of laws, these Instructions regulate Presidential elections scheduled on August 3-4, 2017.

Article 2: Eligible voter

Voting is a right of every Rwandan who fulfils the requirements determined by the Law relating to elections and Instructions of the National Electoral Commission.

Every Rwandan registered within the Country or in a Rwandan diplomatic mission is eligible to vote when he/she fulfils the following conditions:

- 1) Having attained at least eighteen (18) years of age or will have attained it on the polling day;
- 2) Having registered on the voters' register;
- 3) Not having been deprived of his or her civil and political rights by competent courts of law;
- 4) Not subjected to disenfranchisement specified in Article three (3) of these Instructions.

CHAPTER 2: VOTERS' REGISTER

Article 3: Persons prohibited from registering on the voters' register

Persons prohibited from registering on the voters' register are:

- 1) a person who is deprived of his/her right to vote by competent courts of law and has not been rehabilitated or has not been granted amnesty in accordance with the law;
- 2) a person definitively sentenced for homicide or manslaughter;
- 3) a person definitively convicted of the crime of genocide or crimes against humanity as stipulated in Article 11 of the Law N° 27/2010 of 19/6/2010 relating to elections as modified and complemented to date;
- 4) a person who confessed and pleaded guilty to the crime of genocide against the Tutsi and crimes against humanity as set out in Article 11 of the Law No 27/2010 of 19/6/2010 relating to elections as modified and complemented to date;
- 5) a person who was convicted of the crime of defilement;
- 6) a person who was convicted of the crime of rape;
- 7) a prisoner;
- 8) a refugee.

Article 4: Updating and publication of provisional and final voters' register

Provisional voters' list shall be published in not less than thirty (30) days before the polling day.

Any mistakes noticed after publication of a provisional register shall be corrected by the Branch of the National Electoral Commission at District level in respect of instructions issued by the National Electoral Commission.

Final voters' register shall be published in not less than fifteen (15) days before the polling day in accordance with the instructions of the National Electoral Commission.

Article 5: Voters' register of each polling room

Each polling room has its own voters' list, which includes not more than seven hundred (700) voters, casting their votes in one (1) Village. When voters in one Village are more than seven hundred (700), more than one polling room shall be created.

Names on voters' register in one Polling room are listed alphabetically in reference to their name as written in the national identity card.

Article 6: Voters' register for persons casting their votes in diaspora

Voters' register for the Rwandan diaspora is updated on basis of the National identity card, Passport or "**Consular Card**".

Modalities for updating voters' register for the Rwandan diaspora shall comply with instructions of the National Electoral Commission.

CHAPTER 3: POLLING STAFF, THEIR RESPONSIBILITIES AND CONDUCT

Article 6 bis: Polling Staff members

Election personnel are Commissioners, staff and election volunteers of the National Electoral Commission.

Article 7: Definition of term "Electoral volunteer"

In these instructions, an Election Volunteer is any Rwandan authorised by the National Electoral Commission, who has at least 18 years of age, willing and competent, not subject to disenfranchisement, committed to collaborate with the National Electoral Commission to prepare, conduct and supervise elections, devoted and without expectation of remuneration.

During the election period, an election volunteer shall have an identification issued by the National Electoral Commission.

Article 8: Persons prohibited from becoming election volunteers

Persons, who have not attained eighteen (18) years of age, those subject to disenfranchisement and persons in the following categories are not allowed to take part in electoral operations as Volunteers:

- 1) Cabinet members;
- 2) Members of Parliament;
- 3) Governors of Provinces and Executive Committee members of the District or City of Kigali;
- 4) Executive Secretaries of Cells, Sectors, Districts and Province/City of Kigali;
- 5) Executive Committee members of the Village;
- 6) Judges, and Prosecutors;
- 7) Security Agents (Soldiers, Police officers, District Administration Security Support Organ (DASSO));
- 8) Election observers;
- 9) Leaders and employees of Political organisations at different levels.

Article 9: Categories of election volunteers

Election volunteers are categorised as follows:

- 1) Election officials at Sector level;

- 2) Site Coordinators;
- 3) Coordinators of polling room at the polling station;
- 4) Three (3) Assessors and their replacements in the polling rooms.

Article 10: Election Officials at Sector level and their responsibilities

Election officials at Sector level are electoral Volunteers appointed by the National Electoral Commission during election period and have the following responsibilities:

- 1) Conducting, supervising and coordinating election operations at Sector level;
- 2) Collaboration with NEC Stakeholders at Sector level;
- 3) Distributing election materials to election officials at electoral site level within the Sector he/she is in charge of;
- 4) Monitoring the use of fund allocated to election operations in electoral Sites comprising the Sector he/she is in charge of;
- 5) Ensuring and the implementation of electoral schedule;
- 6) Receiving election observers;
- 7) Preparing a report of elections at sector level.

Article 11: Polling committee at the polling station and its responsibilities

Polling committee at the polling station is a group of Volunteers of the National Electoral Commission that is made up of the Coordinator of the Polling station and Coordinators of the Polling rooms.

The Committee is responsible for resolving any issue that may arise in the Polling room or at the Polling station, security issues inclusive.

Article 12: Responsibilities of the Coordinator of the Polling station

Coordinator of the polling station is responsible for the following:

- 1) Coordinating, conducting and supervising all election operations at the polling station;
- 2) Replacing assessors who are unable to work;
- 3) Administering the oath of electoral Volunteers operating at the polling station before the election;
- 4) Receiving and monitoring the optimum use of election materials at the polling station;
- 5) Organising and ensuring that there is cleanliness at the Polling station;
- 6) Filling in and signing all documents related to elections at the polling station, as provided by instructions regulating elections;
- 7) Receiving election observers and ensuring proper collaboration with other stakeholders;
- 8) Ensuring security of election materials and polling rooms in collaboration with security organs;
- 9) Consolidating election results from polling rooms;
- 10) Preparing and submitting report of election results to the election officials at Sector level.

Article 13: Responsibilities of the Coordinator of a polling room

The Coordinator of a Polling room is responsible for the following:

- 1) Coordinating, conducting and supervising all election operations in the polling room;
- 2) Managing all assessors in charge of elections in the polling room;
- 3) Ensuring cleanliness in the polling room;
- 4) Receiving and monitoring the use of election materials in the polling room;

- 5) Guiding and giving necessary explanations to voters;
- 6) Filling in and signing all documents related to elections in the polling room as provided for by instructions regulating elections, in collaboration with assessors;
- 7) Ensuring orderly queues of voters;
- 8) Checking if the voters fulfil the requirements as provided for by electoral laws and instructions in order to be allowed to vote;
- 9) Receiving election observers and other stakeholders;
- 10) Submitting election results' report to the Coordinator of the Polling station.

Article 14: Responsibilities of assessors in polling rooms

Every Polling room shall have three (3) assessors who are generally responsible for the following:

- 1) Receiving and ensuring proper use of election materials pursuant to the laws and instructions regulating elections;
- 2) Preparing polling rooms including polling booths;
- 3) Receiving voters and giving them necessary explanations, in accordance with laws and instructions regulating elections;
- 4) Checking that the voter did not vote in any other polling room;
- 5) Receiving election observers, in accordance with Laws and Instructions regulating elections;
- 6) Vote counting in accordance with Laws and Instructions regulating elections;
- 7) Preparing and signing elections related documents, in accordance with laws and instructions regulating elections.

Article 15: Specific responsibilities for each assessor

The three (3) election assessors have the following responsibilities.

The first assessor is in charge of:

- 1) checking if the voter is registered on the voter register;
- 2) checking if information on voter's card and identification document matches with the information on voters' register;
- 3) marking on the voters' register in front of the name of an authorised voter;
- 4) registering authorised voters not registered on the polling room's voter register on a complementary list.

The second assessor:

- 1) giving a ballot paper to voters, and directing them to the polling booth;
- 2) counting distributed ballot papers.

The third assessor:

- 1) showing a person who casts his/her vote the ballot box;
- 2) stamping the "YATOYE" stamp in the appropriate place on the voter's card for a person who has inserted the ballot paper in the ballot box;
- 3) applying indelible ink on the pinky finger of the person who has voted.

Article 16: Replacement of polling volunteers at the polling station

When a Coordinator of the polling room is unable to work due to different reasons, the Coordinator of the polling station replaces him or her with one of the assessors. When one of the assessors is unable

to attend, he or she shall be replaced by a reserve assessor. When there are no reserve assessors, an assessor is replaced by an honest and literate voter.

When the Coordinator of the Polling station is unable to work, Coordinators of the Polling rooms choose the Coordinator of the Polling station amongst themselves, who shall be confirmed by election coordinator at Sector level. Such a replacement shall have a statement.

Article 17: Fundamental principles guiding the conduct of election volunteers

An election volunteer should be characterised by the following:

- 1) transparency and fairness;
- 2) impartiality;
- 3) Punctuality in fulfilling his/her duties;
- 4) Self-confidence in electoral activities;
- 5) Proper collaboration with electoral stakeholders;
- 6) Compliance with laws and instructions governing elections;
- 7) Consultation, when necessary, in decision making process;
- 8) Professional secrecy;
- 9) Cleanliness.

Article 18: Prohibitions to the election officials

Election officials are generally prohibited from the following:

- 1) Partiality in voting process;
- 2) Interference or taking part in activities of Political organisations during electoral process;
- 3) Taking decisions on the election matters without consulting his/her superior;
- 4) Indecency and self-disrespect behaviour;
- 5) Mismanagement of election materials and embezzlement of electoral funds;
- 6) Depriving a voter of his/her right and forcing him or her to vote against his or her will;
- 7) Rigging election results and announcing forged reports;
- 8) Being influenced in electoral activities by incompetent persons;
- 9) Receiving gifts from candidates;
- 10) Using his or her position for personal interest;
- 11) Being non-cooperative and working in isolation;
- 12) Creating criminal groups;
- 13) Performing any other activity that may impede the smooth running of elections.

CHAPTER 4: PRESENTATION OF CANDIDATURE

Article 19: Period for presentation of candidature

Presentation of candidature for the office of the President of the Republic is carried out at least thirty-five (35) days before the polling day, as provided by the Law N° 27/2010 of 19/06/2010 relating to elections as modified and complemented to date.

In the upcoming 2017 Presidential elections, the National Electoral Commission shall receive, candidature for the President of the Republic starting from June 12, 2017 - June 23, 2017. This shall be done on working days and hours.

Article 20: Requirements for Presidential candidates

A candidate for the office of the President of the Republic should:

- 1) be of a Rwandan nationality by origin;
- 2) not hold any other nationality;
- 3) be of irreproachable in his or her conduct and social relations;
- 4) not to have been definitely sentenced to a term of imprisonment equal to or exceeding six (6) months;
- 5) not to have been deprived of his or her civil and political rights;
- 6) be at least thirty-five (35) years of age on the date of the submission of his or her candidature;
- 7) be resident in Rwanda at the time of submitting his or her candidacy.

Article 21: Elements to be included in a Presidential candidate dossier

The candidature for the office of the President of the Republic shall be comprised of the following:

- 1) the candidate names as indicated in his/her identity card;
- 2) document indicating that the candidate is a flag bearer of a Political Organisation or a Coalition of Political Organisations established in accordance with the law, or that he or she is an independent candidate or a candidate supported by several Political Organisations;
- 3) his/ her curriculum vitae indicating his or her profession, residence and positions previously held;
- 4) two (2) coloured passport sized photographs;
- 5) a copy of his or her national identity card;
- 6) a copy of his or her voter's card;
- 7) a logo to identify him or her on a ballot paper.

Article 22: Documents accompanying a Presidential candidate's dossier

Submission of candidature shall be accompanied by the following documents:

- 1) a certificate of nationality issued within the previous three (3) months by a competent national authority;
- 2) a certificate confirming that the candidate does not have any other nationality or has relinquished any other nationality he or she previously held;
- 3) a birth certificate issued within the previous three (3) month by a competent national authority;
- 4) a copy of criminal record issued by a competent national authority within the previous three (3) months;
- 5) a written endorsement issued by a political organisation or a coalition of political organisations declaring nomination of the candidate for presidential elections;
- 6) a certificate confirming that he or she has at least one parent of Rwandan nationality by origin;
- 7) an official document attesting that the candidate declared his or her assets, if he or she is amongst those concerned;
- 8) a declaration of the authenticity of documents he or she submitted.

Documents required from the candidate are submitted, in person, in two (2) copies, one reserved for the National Electoral Commission and another one sealed with the seal of the National Electoral Commission on each page and given back to the candidate.

An independent candidate shall submit a list of at least six hundred (600) eligible voters endorsing his or her candidature, with at least twelve (12) persons registered in each District.

Every person endorsing his or her candidature shall sign or fingerprint before his or her name, and the list shall indicate the following:

- 1) full names of the person who signed or fingerprinted the list;
- 2) the number of his or her national identity card and place of issue;
- 3) the number of his or her voter's card and where it was issued;
- 4) place of residence (District, Sector, Cell and Village); and
- 5) any other information that may be required by the National Electoral Commission.

Persons prohibited from registering on the Voters' register should not sign or fingerprint on the list of persons supporting the candidate.

An independent candidate should be an eligible voter, registered on the voters' register and possess a voter's card.

The submission of the candidature for the office of the President of the Republic is deposited personally, in writing, and it is submitted to the National Electoral Commission which issues an acknowledgement of receipt thereof.

Article 23: Period for independent Presidential candidates to request signatures or fingerprints from their supporters and where it shall be carried out

Modified and complemented by Article 2 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

Requesting for signatures from persons supporting a Presidential candidate shall start thirty (30) days before the day of receiving candidatures, and shall be done on a form prescribed by the National Electoral Commission.

An independent candidate requests for signatures from his or her supporters, in a Cell or a Sector area in District where he or she notified the District authority in writing, and reserves a copy to the elections Zone Coordinator for that District.

A candidate may request signatures in person, or with the help of other persons of his or her choice who are eligible voters. A list of persons determined to assist him or her shall be submitted to the National Electoral Commission at national level, within fifteen (15) days before starting the signing exercise.

Article 24: Logo used by candidates

In no way shall an independent candidate, a political organisation or a coalition of political organisations use a logo already chosen by another candidate or likely to stir up divisions and confusion or formerly used in other elections by another candidate, a political organization of a coalition of political organizations.

Where several candidates adopt the same acronym or logo, the National Electoral Commission makes a non-appealable decision by giving the priority of use to candidate that was the first to present his or her candidature.

It is prohibited to choose a logo comprising of a combination of the three colours of the national flag.

Article 25: Time for candidate to complete his or her dossier

Before publication of the final list of candidates, a candidate whose candidature is disqualified by the National Electoral Commission shall be informed in writing of the documents missing in his/her dossier, and shall be given time to complete his/her dossier. He or she shall be given five (5) days to complete his or her dossier, after publication of the provisional list of candidates and before publication of final list of candidates.

The National Electoral Commission shall approve and announce the final list of candidates at least seven (7) days before commencement of election campaigns.

Article 26: Final list of candidates

When the list of candidates qualified to campaign is final, no candidate shall be removed either from the list or the ballot paper designed on basis of that list. However, when it appears that the candidate has submitted incorrect documents, he or she shall be stopped from running for campaigns.

Article 27: Modalities for National Electoral Commission to publish qualified candidatures

While announcing provisional or final qualified list of candidates, the National Electoral Commission shall use the media or any other possible channels.

CHAPTER 5: ELECTION CAMPAIGNS

Article 28: Election campaign constituency

Modified and complemented by Article 3 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

The electoral campaign constituency for the Presidential elections scheduled in August 2017, covers the entire Country and in the territorial jurisdiction of Rwandan Embassies and High Commissions abroad.

Electoral campaigns may also be carried out anywhere for those who will use Information and Communication Technology (ICT).

Article 29: Permitted election campaign channels

During election campaign, candidates may use the following modalities:

- 1) posters and banners;
- 2) distribution of mails and mass circulation documents;
- 3) public rallies and public talks;
- 4) radio, television and print media;
- 5) information and communication technology;
- 6) campaign clothing;
- 7) debates;
- 8) any other means that are not contrary to laws.

Article 30: Use of media during election campaign

Candidates shall have equal access to Public media. Private media may be used based on agreement between the candidate and the Media house owners.

Article 31: Modalities for requesting for campaigning through Public media

A candidate who wishes to campaign through Public media shall request the National Electoral Commission in writing, attested by acknowledgement of receipt, at least five (5) days before commencement of such campaigns. The candidate shall indicate in such a notice the date and time he or she intends to conduct such a campaign, and whether it is on Public radio or television.

After consultations with the Management of the requested media, the Chairperson of the National Electoral Commission responds to the candidate, in writing, notifying him or her of the date and time allocated to run his or her campaigns.

A response to the candidate shall be issued at least forty-eight (48) hours before the commencement of election campaigns. A candidate shall sign the letter to acknowledge receipt.

In case the Chairperson of the National Electoral Commission does not respond, the request shall be considered granted.

Article 32: Conducting election campaigns

Modified and complemented by Article 4 of Instructions N° 02/2017 of 31/05/2017 of the National Electoral Commission.

Election campaigns shall be held within the permitted time, in free and public tranquillity, in accordance with national laws and instructions of the National Electoral Commission.

Article 33: Distributing and posting campaigning materials

Modified and complemented by Article 5 of Instructions N°. 02/2017 of 31/05/2017 of National Electoral Commission.

Candidates are authorised to post their photographs and election campaign materials on public buildings determined by District or Sector authorities. Electoral campaign materials may also be posted on buildings and vehicles with their owners' consent.

However, it is prohibited to post electoral campaigning materials on hospitals, schools, churches, electric poles.

Candidates should sensitise their supporters to avoid destroying or damaging photos of their counterparts as well as any of his or her campaigning materials.

Article 34: Notification of electoral campaigns venues

A candidate or his/her representative shall notify, in writing, the Mayor of the District in which campaigns are intended to be held, of the venue and time of campaigns, at least twenty-four (24) hours before and a copy shall be reserved to the District Election Coordinator. The notification shall be submitted during official working hours. A receipt of acknowledgement shall be issued.

Electoral campaigns notification shall indicate the day and time of commencing campaigns, and the place where such campaigns shall be held in the Sector.

No campaign meetings shall go beyond a half past six in the evening (06:30 pm).

Article 35: Resolving disputes in case of simultaneous campaign activities

For Presidential elections, no two (2) or more campaign activities shall be held simultaneously within the same Sector of the same District in a Province, or within the same Cell of a Sector in Kigali City.

Where two (2) or several campaign activities have been notified, the first applicant shall be given precedence.

However, in case the first applicant held or organised one or several campaign activities in the same place, priority shall be given to the applicant who held fewer activities.

Authorities shall notify the prohibited candidate in writing including reasons for refusal, at least twelve (12) hours before the commencement of campaigns.

Article 36: Authorisation to campaigning staff

Public rallies shall be carried out by a candidate's representative with a written permission from a competent representative of registered Political Organisation or an independent candidate. The said permission shall be presented to the District or Sector administration where campaigns will be held.

Article 37: Prohibitions during election campaigns

Modified and complemented by Article 6 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

During election campaigns, it is prohibited to:

- 1) illegally use Public property;
- 2) abuse or defame another candidate, in any way;
- 3) offer or accept gifts or bribes;
- 4) conducting campaigns based on race, ethnicity, region, religion and any other form of discrimination and division;
- 5) carrying out or mentioning anything that may interfere with peace, unity and public security;
- 6) conducting campaigns within prohibited time;
- 7) destroying another candidate's photograph or any other campaign material;
- 8) conducting campaigns in a place not notified to administrative authorities;
- 9) Sensitising voters to carry out any activity or behave in a manner that may hinder the smooth running of election process.

Article 38: Campaigns using ICT

Modified and complemented by Article 7 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

Campaigning using Information and Communication technology is allowed.

However, it is prohibited to campaign on websites of Public institutions and entities of public interest.

Article 39: Notification for using ICT in campaigns

Repealed by Article N° 8 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

Article 40: Approving electronic campaign messages

Repealed by Article 8 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

Article 41: Introduction in case of sending an on-line campaigning message

Repealed by Article 8 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission

Article 42: Prohibitions for campaigns using ICT

Repealed by Article 8 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

Article 43: Persons held accountable for offences committed during campaigns using ICT

Repealed by Article 8 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

Article 44: Monitoring campaigns using ICT

Repealed by Article 8 of Instructions N° 02/2017 of 31/05/2017 of National Electoral Commission.

Article 45: Penalties for violating legal provisions during campaigns

Without prejudice to the provisions of other laws, any candidate who violates laws during campaigns shall be summoned by the National Electoral Commission for a first official oral warning.

In case the said violation persists after the first warning, the National Electoral Commission shall issue a written final warning to the Candidate.

If the violation persists, the National Electoral Commission shall nullify his or her candidature in writing in a period not exceeding twelve (12) hours after being officially informed of the fault, and the provisions of the law that were violated.

A candidate who has been removed from the list of the candidates has the right to appeal against the decision of the National Electoral Commission to competent court in a period not exceeding twenty-four (24) hours from the time he or she was removed from the list. However, this does not stop the electoral process.

Article 46: Resolution of election campaign related complaints

Without prejudice to provisions of the law, in case any complaint is raised during election campaigns, candidates or their representatives may notify, in writing, the staff of the National Electoral Commission at Zone level. When the staff is unable to resolve the complaint, it is submitted, in writing, to the National Electoral Commission Chairperson, before referring it to a competent Court.

Article 47: End of election campaigns period

Election campaigns through any channels shall stop twenty-four (24) hours before the polling day. A day before the polling day, all campaigning materials shall be removed from places where they were posted, and no person shall be allowed to wear campaigning clothes or any related materials.

CHAPTER 6: CANDIDATES' REPRESENTATIVES

Article 48: Representation of a candidate in a polling room

A Political Organisation, Coalition of Political organisations which presented a candidate or an independent candidate are the ones to issue an authorisation for their representatives in a polling room and at a Polling station, to monitor the electoral process.

However, a candidate may be represented by a single person at the Polling station level. In that case, the candidate's representative has the right to have access to all polling rooms within that Polling Station.

The Representative of a Political Organisation, Coalition of Political Organisations or an independent candidate, gives his or her representative a written permission, on polling day, bearing the candidate's logo and his or her original signature indicating the right to represent him or her. The written permission indicates names, national identity card, voter's card number and representative's telephone number.

Persons representing candidates should carry documents indicated in previous paragraph.

Article 49: Authorization issued to candidate's representatives

The National Electoral Commission publishes list of Polling stations and rooms and their respective numbers at least fifteen (15) days before the polling day.

As provided by the law, for any candidate to be represented in a Polling room, he or she is required to submit a list of names of persons authorised to represent him or her in a Polling room or at the Polling station to the National Electoral Commission coordinator at District level, at least seventy-two (72) hours before the polling day, and the list shall indicate his or her signature and shall not exceed one (1) representative per Polling room.

Article 50: Requirements for a candidate Representative

Candidate representative in a Polling room or at the Polling station shall fulfil the following conditions:

- 1) be of Rwandan nationality;
- 2) have at least eighteen (18) years of age;
- 3) hold a national Identity Card (ID);
- 4) be a registered voter;
- 5) have a written permission issued by the candidate he or she is representing; a copy of the written permission shall be submitted to the Coordinator of elections at District level. On polling day, the written permission shall be presented to the Coordinator of the polling Station.

Article 51: Voting activities a candidate's representatives are authorised to observe

A candidate's representative is authorised to observe:

- 1) voting operations;
- 2) counting ballot papers;
- 3) votes counting;
- 4) tabulation and publication of votes in a polling room;
- 5) consolidation of results at all levels.

He or she is authorised to sign on the votes consolidation documents if he or she so wishes

Article 52: Prohibitions to Candidates representatives

No one is allowed to represent more than one candidate and no one is allowed to represent a candidate in more than one polling room unless if the candidate is represented at the Polling station.

No one is allowed to wear or show a logo of the candidate he or she is representing.

A candidate's representative should avoid giving any election-related instructions.

CHAPTER 7: ELECTION OBSERVERS

Article 53: Basic principles and code of conduct for election observers

Election observers should observe the following:

- 1) Have knowledge of and respect Rwandan laws in general, and laws governing elections in particular;
- 2) Respect the authority of the bodies charged with administering the electoral process at all level of administration;
- 3) Maintain strict political impartiality during election observation period;
- 4) Be characterized by impartiality and transparency;
- 5) Have a sound knowledge of the Rwandan history and geographical structure, respect the Rwandan culture and Rwandans;
- 6) Avoid any interferences in non-election related activities;
- 7) Submit their election observation report to the National Electoral Commission.

Article 54: Application for and issuance of election observers' credentials

Invitation of election observers is done by the National Electoral Commission in writing. Observers' invitation is based on the National Electoral Commission initiative or an application submitted by an organisation.

Organisations presenting election observers for accreditation shall notify the National Electoral Commission, in writing, within the period set by the National Electoral Commission.

Before commencing their duties, election observers are provided with mission credentials which differentiate them from other people participating in elections. Such credentials issued by the National Electoral Commission entitle observers to some rights and freedoms while performing their duties.

Modalities for requesting for election observers' credentials are as follows:

- 1) An organisation intending to provide an observer(s) submits a written application to the National Electoral Commission requesting for accreditation. Such an application should indicate the following:
 - a) area of deployment or coverage;
 - b) capacity and knowledge of election observation.
- 2) International observers should have valid travel documents.

Although observers represent their organisations/bodies or countries, credentials are issued to each observer individually, and may be held accountable for his/her actions.

Article 55: Requirements for organisations requesting for accreditation of election observers

Organisations intending to provide election observers are requested to comply with the following:

- 1) Submitting a list and identifications for their representatives in election observation mission;
- 2) Indicating the Spokesperson and his or her deputy;
- 3) Indicating various stages of election process they wish to observe;
- 4) Indicating Province/Kigali City or District of the deployment.

Article 56: Requirements for election observers

Every election observer should:

- 1) Have a sound experience in election activities;
- 2) Be a person of integrity;
- 3) Be impartial and independent;
- 4) Have good knowledge of Rwandan laws in general, and election related laws in particular;
- 5) Know and recognize international principles governing election observers;
- 6) Be knowledgeable about the Rwandan geographical structure, history, culture and the political system.

Article 57: Specific requirements for international election observers

International election observers in particular should:

- 1) have a valid visa, issued by a competent institution;
- 2) observe international or specific regulations relating to the health or security of persons entering or exiting any region of the country they are operating in.

Article 58: Origin of election observers

Election observers may be domestic or international. Domestic observers are presented by an organisation with legal personality that meet requirements set out by these Instructions. International election observers are provided by their respective countries or international organisations in order to observe election process in Rwanda.

Although observers represent their organisations or countries, credentials are issued to each observer individually, and may be held accountable for his/her actions.

Article 59: Origin of domestic observers

Domestic observers may come from:

- 1) Accredited Public institutions having election-related activities in their attributions;
- 2) Political Organizations registered in Rwanda;
- 3) Forums of Political Organizations registered in Rwanda;
- 4) Forum of registered Governmental or Non-Governmental Organizations operating in Rwanda, and having election-related activities in their attributions. An organization with membership in the forum, provides its observers through the forum.
- 5) Faith based organizations accredited by competent authorities.

Article 60: Origin of International Observers

International observers may come from:

- 1) International Organizations, upon request;
- 2) Diplomatic Missions accredited to Rwanda;
- 3) Regional and International Organizations of which Rwanda is a member;
- 4) Election Management Bodies in other countries.

Article 61: Starting and end of election observation mission

An election observer shall start election observation activities on the day he or she is accredited by the National Electoral Commission, and ends his or her duties on the day of submitting his or her written

report to the National Electoral Commission (NEC).

Article 62: Responsibilities of NEC towards accredited election observers

The National Electoral Commission shall fulfil the following responsibilities toward accredited election observers:

- 1) providing observers with laws and instructions governing elections;
- 2) informing them of areas/location of election activities;
- 3) facilitating them to meet electoral officials;
- 4) facilitating them to get other election-related documents;
- 5) informing them of election results after their official publication.

Article 63: Credentials for election observers

Before exercising their duties, election observers accredited shall be given credentials and an appropriate identification badge to identify them during election observation process. Such credentials are issued based on the request submitted by an organisation presenting the concerned election observer.

Article 64: Loss of the right of being an election observer

The National Electoral Commission may deprive an election observer who does not comply with laws and instructions regulating elections, of the right of election observation, and such an observer is notified in writing.

Article 65: Prohibitions to election observers

Election observers are prohibited from the following:

- 1) interfering in election activities and obstructing the election process;
- 2) entering the polling booth during voting hours;
- 3) operating outside their area of deployment or operation;
- 4) giving any instructions relating to elections;
- 5) entering and taking photographs within premises of government security organs;
- 6) interfering in non-election related activities;
- 7) announcing election results before their official publication by the National Electoral Commission.

Article 66: Elements considered while submitting election observation report

An election observer shall submit to the National Electoral Commission, an accurate report based on their findings, within a period not exceeding sixty (60) days after the final publication of election results.

CHAPTER 8: ELECTION DAY

Article 67: Polling stations

The National Electoral Commission shall determine polling stations in collaboration with local government authorities, and such polling stations shall be published at least fifteen (15) days before the polling day.

Each Polling room has a number matching with the number on voters' register for that polling room or polling Station.

Polling rooms and polling stations are placed in state buildings or public service premises, such as schools and any other public place that shall be determined by the National Electoral Commission.

In foreign countries, the Polling station shall be situated in any place where Rwanda has a diplomatic mission. The Ambassador or High Commissioner can also, with approval of the National Electoral Commission, designate any other place within the jurisdiction of the diplomatic Mission to be used as a polling station.

Article 68: Number of polling station and rooms

The number of Polling stations and rooms shall be determined by the National Electoral Commission, based on the number and geographical structure of Cells. Whilst the number of Polling rooms shall be determined based on the number of Villages and the number of registered voters in each village.

Article 69: Format of the ballot paper

A ballot paper that shall be used in Presidential elections is a designed paper bearing a list of qualified candidates, listed according to the order of receipt of presidential candidatures.

The ballot paper shall have four boxes indicated as follows:

- 1) the first box shall have full names of the candidate;
- 2) the second box shall have a logo identifying a Political organisation or an independent candidate;
- 3) the third box shall have a candidate's photograph;
- 4) the fourth box is reserved for a voter to fingerprint or tick.

In case a candidate loses his or her presidential candidacy, the designed and printed ballot papers shall remain valid and the National Electoral Commission shall communicate the changes to voters by announcements posted at each Polling room or any other communication channels.

For visually impaired persons who are able to use Braille shall be given a ballot paper designed in the same format.

Article 70: Preparation of polling rooms

Election officials shall prepare polling rooms in collaboration with local administrative authorities so as to ensure adequate space and clean environment for voters.

Election officials shall also set up at least two (2) polling booths in each Polling room and prepare other required materials. Polling stations shall bear electoral identification signs.

Article 71: Election materials

Materials required for presidential elections shall include:

- 1) a ballot box and its seals;
- 2) voters' register;
- 3) ballot papers not less than the number of voters on voters' register;
- 4) the ink used in the Polling room;
- 5) Stamp;
- 6) "YATOYE" stamp;
- 7) Tally sheets;
- 8) lamps that may be used when necessary;

- 9) envelopes;
- 10) Prepared appendixes to be filled in;
- 11) Markers;
- 12) Scissors;
- 13) Scotch;
- 14) Stapler.

Upon receiving election materials, Election officials shall check if they are adequate and in good condition.

Article 72: Time for election officials to report to polling stations

On the polling day, all election officials are required to report to Polling stations at six in the morning (6:00 am), meaning an hour before starting elections.

Article 73: The beginning of election and oath taking ceremony

Voting begins at seven in the morning (07:00 am). The coordinator of the polling station, Coordinators of polling rooms and Assessors shall take an oath in presence of voters, as follows:

"I,.....,

do solemnly swear to Rwanda that I shall:

- 1° remain loyal to the Republic of Rwanda;*
- 2° uphold the Constitution and other Laws;*
- 3° safeguard human rights and the interests of the Rwandan people;*
- 4° strive for national unity;*
- 5° diligently fulfil the responsibilities entrusted to me;*
- 6° never use powers conferred upon me for personal interests.*

Should I fail to honour this oath, may I be subjected to the rigours of the Law.

So help me God".

The Coordinator of the polling station shall first take oath before presiding over an oath taking ceremony of other election officials.

Article 74: Explanations on the voting process

The Coordinator of the Polling station, in collaboration with Polling rooms Coordinators, shall explain to voters all voting steps and requirements for eligible voters.

Article 75: Preparing a report marking the commencement of the voting process

After taking the oath and providing explanations on the voting process, the Coordinator of the Polling room prepares a report marking the commencement of the voting process. The format of the said report is attached to these Instructions as appendix two (2).

Article 76: Activities preceding the voting process

Before commencing the voting, the following activities shall be done successively:

- 1) checking if all election materials set out in Article 71 of these Instructions are available and in

their respective places;

- 2) counting all ballot papers in a Polling room;
- 3) checking if the polling booth is well-prepared;
- 4) taking the oath;
- 5) explaining to available voters the voting process;
- 6) opening a ballot box and showing that it is empty;
- 7) sealing the ballot box;
- 8) determining and verifying seats for persons allowed to be in the Polling room;
- 9) preparing a report marking the commencement of the voting process.

Article 77: Required documents for a voter

Each registered voter is allowed to vote after presenting his or her national identity card or any substitute document issued by competent institutions and his or her voter's card. In case he or she does not have any of the above mentioned documents, the Polling room Coordinator shall authorise him or her to vote after conducting a thorough verification.

Article 78: An eligible voter whose photograph is not on the Voters' register

An eligible voter whose photograph is not on the voters' register shall be allowed to vote. However, he or she shall be allowed to cast his or her vote after presenting a voter's card and the national identity card or a substitute document issued by a competent institution.

Article 79: Persons authorised to vote where they are not registered

The following persons are authorised to vote where they are not registered due to their duties:

- 1) security officials on duty;
- 2) journalists covering election process holding a press card;
- 3) election officials having a valid identification document;
- 4) Medical personnel or emergency personnel on duty having an identification document;
- 5) persons on mission holding a mission clearance, including representatives of Political organisations, Coalition of Political organisations or independent candidates;
- 6) domestic election observers who are eligible voters;
- 7) a Rwandan registered abroad, residing in Rwanda on the election day shall be allowed to cast his or her vote in his or her area of residence after presenting his or her travel documents and the voter's card or a document issued by an election coordinator of the Embassy of his or her domicile;
- 8) a Rwandan travelling abroad on the Election Day shall be allowed to cast his or her vote within the Rwandan diplomatic mission of his or her country of residence after presenting his or her travel documents and the voter's card or a document issued by an election zone coordinator attesting that he or she is registered voter.

Persons stipulated in this Article are allowed to vote after a thorough verification to ensure that they are eligible voters.

Election officials prepare a report for persons who cast their votes where they were not registered. The format of the said report is attached to these Instructions as appendix three (3).

Article 80: Requirements for persons authorised to vote where they are not registered

Without prejudice to the provisions of Article 2 of these Instructions, persons authorised to cast their votes where they are not registered due to their duties as stipulated in the preceding Article, have the following requirements:

- 1) Presenting a work-related document proving that he or she is unable to vote where he or she is registered;
- 2) Presenting voter's card proving that he or she is a registered voter;
- 3) Presenting his or her national identity card or a substitute document issued by a competent institution.

Polling officials in the Polling room shall indicate that persons stipulated under this Article have cast their votes, by stamping “YATOYE” on their voter's card and their work-related documents.

Article 81: Voting sites for Military and Police officials residing in barracks

Military and Police officials are registered and cast their votes where they were registered. However, those residing in military and police barracks may cast their votes in those barracks, with the approval of the National Electoral Commission, and based on the voters' register or the list indicating military or police officials residing in those barracks. In that case, necessary polling stations and rooms shall be set up based on the number of military and police officials residing in each barracks. Such officials shall be allowed to vote after presenting their national identity cards or service cards issued by a competent institution.

The Chairman of the National Electoral Commission shall nominate election officials for those barracks.

Article 82: Allocation of voters to polling rooms

Each Polling room shall comprise of a number of voters between five hundred (500) and seven hundred (700). In case eligible voters residing in a village are more than seven hundred (700), more than one polling rooms shall be set up, based on the number of voters in that Village.

Article 83: Persons given priority during voting

Persons given priority during voting are as follows:

- 1) Security officials,
- 2) Election officials at all levels,
- 3) Aged people who are weak,
- 4) Expectant mothers or mothers with babies,
- 5) Persons with disabilities or sick persons.

All the above mentioned persons shall be given priority to vote, with the assistance of the Polling room Coordinator.

Article 84: Persons assisted to cast their vote

A visually impaired person unable to use Braille, or physically impaired person who is unable to cast a vote or put a ballot paper in a ballot box himself or herself, shall be allowed to bring a child having at least fourteen (14) years but who has not attained eighteen (18) years of age, to assist him or her. A person assisted due to disability, should also be present in person.

With exception of persons stipulated in the first paragraph of this Article, no person is allowed to cast a

vote for the other.

Article 85: Persons allowed to enter in the polling room during the polling operations

Apart from the Coordinator of the Polling room and Assessors, other persons who are allowed to enter the polling room when voting is underway are the following:

- 1) a voter;
- 2) a child assisting a voter;
- 3) coordinator of the polling station;
- 4) election officials at Sector, District, Province/City of Kigali and National level with identifications;
- 5) representatives of candidates endorsed by Political Organisations, Coalition of Political Organisations or independent candidates, who have identification documents and authorisation issued by competent persons;
- 6) election observers accredited by the National Electoral Commission.

Article 86: Prohibitions in the polling room

No one is allowed to enter the polling booth during voting hours, except the polling room coordinator, who may enter when there is no person casting his or her vote, to check if election materials are still in their appropriate place and good condition.

It is also prohibited to take photographs in the Polling room without the authorisation of the polling station Coordinator.

Article 87: Voting modalities

Subject to provisions of Article 103 of these Instructions, Presidential elections shall be conducted by direct suffrage, in secret ballot, and in a one uninominal round ballot. A voter fingerprints or ticks in the appropriate box that follows the box with a photograph of the candidate he or she has voted. During Presidential elections, a voter shall vote for one candidate.

Article 88: Folding a ballot paper

An assessor in charge of issuing ballot papers shall guide each voter on how he or she will fold the ballot paper.

Before casting a vote, the ballot paper shall be folded but unfolded before giving it to a voter.

When a voter has fingerprinted or ticked in the appropriate box, while still in the polling booth, he or she shall first fold the ballot paper vertically, and then fold it horizontally so as to ensure that it fits in the ballot box. The voter should avoid staining the ballot paper with the ink, which may render it invalid.

Article 89: Notice for closure of the polls

At 02:30 pm, the polling room Coordinator reminds voters on the queue and election officials that the closing time is approaching, and requests them to expedite the process.

Article 90: Time for closure of polls

Polling shall be closed at 03:00 pm. However, at 03:00 pm, all voters on the queue shall continue to cast their votes. After that time, the Polling station Coordinator shall stop incoming voters who are not yet on the queue.

Article 91: Suspension or extension of polls

In case there are reasons necessitating suspension or extension of polls or closure of polls beyond the set hour, the Polling station Coordinator, upon notification and consultation with the Chairman of the National Electoral Commission, shall make a decision regarding suspension or extension of polls, and prepare a report to that effect.

In any case, voting time extension shall not go beyond 06:00 pm.

The format of the above mentioned report is attached to these Instructions in **Appendix 4**.

Article 92: Activities following the closure of polls

When polls are closed, the Polling room Coordinator shall seal the ballot box publicly and verify the following:

- 1) Number of voters registered on the voters' register of the Polling room;
- 2) Number of voters registered on the voters' register that cast their votes;
- 3) Number of voters that cast their votes in that polling room but who are not registered on its voters' register;
- 4) Number of used ballot papers;
- 5) Number of unused ballot papers.

Following the aforementioned verification, he or she prepares a report closing polls. A format of this report is attached to these Instructions as **Appendix 5**.

CHAPTER 9: VOTE COUNTING

Article 93: Commencement of vote counting

Vote counting starts after closing the voting process. Before starting to count votes, the Polling room Coordinator and Assessors prepare a report and other vote counting related materials.

Vote counting shall be held publicly, in presence of voters, Election observers and candidate representatives, if available.

In case persons stipulated in the preceding paragraph are absent, it shall not impede vote counting or invalidate election results.

Article 94: Vote counting place and persons responsible

Vote counting shall be held in each Polling room, and carried out by Assessors under the supervision of Polling room Coordinator.

Article 95: Vote counting activities

Vote counting activities shall be held publicly, as follows:

- 1) establishing and announcing the number of voters registered on the voters' register;
- 2) establishing and announcing the number of unregistered voters who cast their votes in that polling room;
- 3) opening ballot boxes publicly;
- 4) counting ballot papers from ballot boxes and announcing the number thereof;
- 5) one of the assessors gives his or her colleague an unfolded ballot paper which he or she reads out

in a loud voice. The third assessor records the vote on that ballot paper on a tally sheet displayed in full view of everyone present;

- 6) when all the ballot papers have been read out, votes obtained by each Candidate shall be counted on basis of valid votes cast and invalid ballot papers described in Article 97 of these Instructions. Voting room assessors shall validate results by signing the tally sheets. Signatures of officials who participated in vote counting shall be preceded by their full names and the number of their national identity cards;
- 7) candidates' representatives present may also sign the tally sheets. Failure to sign the tally sheets does not invalidate the election results. Announcement of election results shall be done immediately after completion of vote counting in each Polling room;
- 8) election officials in the polling room shall consolidate results;
- 9) election officials in the polling room shall prepare, without postponement, a report of the voting process using an appropriate forms annexed to these instructions. The said report shall specify:
 - a) the time of opening and closure of polls,
 - b) the state of compliance with various formalities provided by the electoral Laws and Instructions regulating elections;
 - c) incidents which occurred during the electoral process;
 - d) the signatures of the election officials in the polling room, of the candidates or their representatives. However, failure of the Candidates representatives to sign on the report does not render it invalid.

Representatives of Candidates have the right to follow up the entire process of vote counting as well as requesting that any observation or contestation be recorded in the report;

- 10) the original copy of the report submitted to the National Electoral Commission shall indicate the following:
 - a) number of voters registered on the voter register;
 - b) number of voters who cast their votes;
 - c) number of voters who cast their votes not registered on the list of that polling room;
 - d) number of ballot papers received;
 - e) number of valid and invalid ballot papers;
 - f) number of unused ballot papers;
 - g) number of used tally sheets;
 - h) number of documents indicating complaints received, if any;
- 11) the polling room Coordinator shall put the said report in an envelope that is sealed and stamped publicly in the Polling room. The envelope shall be put in the ballot box of the polling room together with valid and invalid ballot papers, and submitted to the Polling Station Coordinator.

Article 96: A sign considered as a candidate's vote

When a sign used during the voting is placed in the appropriate box next to the candidate's name, his or her identifying logo or photograph, shall be considered as a candidate's vote.

Article 97: An invalid ballot paper

A ballot paper shall be considered invalid if:

- 1) it is not in compliance with the provisions of the Law or Instructions of the National Electoral

Commission governing elections;

- 2) it bears signs other than those specified;
- 3) it does not clearly indicate the voted candidate, or the voter disclosed his or her identity on the ballot paper;
- 4) it is deposited in the ballot box without indicating any choice of candidate;
- 5) it bears other stuffs;
- 6) a voter chose a candidate who withdrew his or her candidacy or was disqualified;
- 7) a sign used during the voting has been placed between two candidates.

Article 98: Suspension of vote counting

Vote counting shall not be stopped, it shall be done until completed unless if there are special reasons and the Chairman of the National Electoral Commission shall be notified.

The format of the report for suspension of vote counting is attached to these Instructions as **Appendix six (6)**.

Article 99: Announcing election results from the polling room

When vote counting is complete, the polling room Coordinator shall immediately announce publicly election results from that polling room.

The notification shall include the following:

- 1) number of voters expected to cast their votes registered on the list of that Polling room;
- 2) number of voters who cast their votes registered on the list of that Polling room;
- 3) number of voters who cast their votes not registered on the list of that Polling room;
- 4) number of ballot papers used;
- 5) number of votes for each candidate;
- 6) number of invalid ballot papers;
- 7) number of unused ballot papers.

After verifying numbers stipulated in the second paragraph of this Article, election officials shall prepare a report of vote counting.

The format of the said report is attached to these Instructions as **Appendix seven (7)**.

Election officials shall write their names on the tally sheet and sign it.

Article 100: Consolidation of election results at the Polling station

Consolidation of election results from the Polling rooms shall be carried out by the Polling station Coordinator in collaboration with Coordinators of the Polling rooms.

Consolidation of election results is carried out based on election results from polling rooms of the Polling station.

Consolidation of election results shall indicate the following numbers:

- 1) number of voters expected to cast their votes registered on the list of each Polling room;
- 2) number of voters who cast their votes registered on the list of each Polling room;
- 3) number of voters who cast their votes not registered on the list of each Polling room;
- 4) number of valid ballot papers;

- 5) number of votes for each candidate;
- 6) number of invalid ballot papers;
- 7) number of unused ballot papers.

The Polling station Coordinator shall announce publicly election results of that Polling station, and prepares a report to that effect on basis of a format attached to these Instructions as **Appendix eight (8)**.

The Polling station Coordinator, after consolidation of election results from each Polling room, shall put the report in an appropriate envelope, writes the name and number of the Polling station, seals, stamps it and sends it to the Sector Election coordinator, who shall send it to the District election coordinator as well.

Article 101: Consolidation of election results at District and National levels

Election coordinator at District level, after consolidation of votes of each candidate from Polling stations in the District, shall announce publicly election results, and prepares the relevant report which shall be submitted to the Chairman of the National Electoral Commission in a sealed and stamped envelope or by any other quick means approved by the National Electoral Commission. The format of the said report is attached to these Instructions as **Appendix nine (9)**.

The Chairman of the National Electoral Commission shall consolidate election results from all districts and all Rwandan diplomatic missions and prepare a report. The format of the said report is attached to these Instructions as **Appendix ten (10)**.

Article 102: Sealing ballot box and archiving used ballot papers

After vote counting, the ballot box containing used and unused ballot papers shall be sealed using appropriate seals.

Ballot papers in the ballot box are archived at District level until the publication of the final election results.

Article 103: Successful candidate for Presidential elections

The successful candidate for Presidential elections is the candidate who obtained a relative majority of valid votes cast.

However, in case the first two candidates have an equal number of votes, a second round of elections for the two candidates shall be organised within a period not exceeding one month.

Article 104: Announcement of election results and its timelines

The Chairman of the National Electoral Commission shall announce provisional and final election results. Announcement of provisional election results shall be done within five (5) days following the elections. The Chairman of the National Electoral Commission shall announce final election results within seven (7) days after the publication of provisional results.

Article 105: Resolving election results related complaints

In case of contestation, the Supreme Court shall definitively declare the election results.

CHAPTER 10: ELECTION PROCESS IN DIASPORA

Article 106: Venues for elections held in diaspora

In foreign countries, presidential elections shall be held at Rwandan diplomatic missions or any other venue that may be determined by the Embassy after consultations with the National Electoral Commission.

Article 107: Polling day in diaspora

The polling day for Rwandans in diaspora is scheduled on 03/08/2017.

Article 108: Commencement and end of polls

Voting in foreign countries shall begin at 07:00 am and ends at 03:00 pm local time of each Country. However, in case the Electoral coordinator realises that there are still incoming voters, and upon notification to the Chairperson of the National Electoral Commission, he or she shall extend the voting time but which shall not exceed midnight (12:00 am) local time.

Article 109: Eligible voters in diaspora

In order to be allowed to vote, a Rwandan in diaspora shall be registered on the voters' register and hold at least one of the documents issued by competent Rwanda administrative authorities, which include the national identity card, Passport, Consular Card, and the voter's card.

A registered voter travelling abroad on the Election Day shall be allowed to cast his or her vote within the Rwandan diplomatic mission of his or her country of residence after presenting his or her travel documents and the voter's card or a document issued by an election zone coordinator attesting that he or she is registered voter.

Article 110: Election officials in diaspora

In diaspora, elections shall be conducted by Rwanda diplomatic mission officials or other Rwandan volunteers who are eligible voters, appointed by Ambassadors/Consuls of respective diplomatic missions and notified to the National Electoral Commission at least ten (10) days before the Election Day for their approval.

Article 111: Election coordinator in diaspora

Ambassador or Consul is the Election Coordinator within the jurisdiction of the Rwanda diplomatic mission. In case of his or her absence, a person who replaces him or her shall assume those duties.

Article 112: Election campaigns in diaspora

At each Embassy, a specific place shall be reserved for posting election campaign materials for candidates who so wish. Willing candidates shall personally submit their campaigning materials to the Embassy. Presidential candidates are also allowed to conduct campaigns using ICT in compliance with the provisions of these instructions.

Article 113: Vote counting in diaspora

Though voting in diaspora is scheduled on 03/08/2017, vote counting shall be carried out on the 04/08/2017 after 03:00 pm Rwandan time.

The Election coordinator shall submit election results to the Chairman of the National Electoral Commission not later than twelve (12) hours after vote counting, by any means approved by the Chairman of the National Electoral Commission.

Article 114: Archiving election materials

After elections, at each Polling station, all used election materials shall be gathered. All used ballot papers and reports regarding the election process shall be archived until the announcement of the final election results.

Documents indicating type and number of materials that may be used in future elections shall be archived at the Embassy or Consulate.

CHAPTER 11: MISCELLANEOUS AND FINAL PROVISIONS

Article 115: Organs responsible for prosecuting a person who violated laws and instructions governing elections

At the polling station, the polling station Coordinator has the right, after drawing up a statement, to request the Rwanda National Police to arrest and conduct investigations against any one, who violated or is suspected of violating the provisions of laws and instructions governing elections. The format for this statement is attached to these Instructions as **Appendix eleven (11)**.

In case there is an election related complaint within the jurisdiction of the Rwanda diplomatic mission, the concerned election Coordinator shall seek assistance from security organs of the country where elections are being held.

Article 116: Provisions pertaining to journalists during election

Journalists are allowed to cover election process. However, they shall only be permitted do so upon presenting a press card issued by Rwanda Media Commission.

During election process coverage, journalists shall be required to comply with laws and instructions governing elections as well as law regulating the media.

Journalists are prohibited to announce election results before their publication by the National Electoral Commission.

Article 117: Additional Instructions

The National Electoral Commission may issue other Instructions complementing these instructions, when deemed necessary. Such instructions may be issued by using any other means, without requiring to be published in the Official Gazette.

Article 118: Compliance with these Instructions

With exception of special provisions relating to elections held within Rwanda, other provisions of these Instructions shall be equally observed both in Rwanda and Rwandan diplomatic missions.

Article 119: Repealing of inconsistent provisions

All prior legal provisions contrary to these Instructions are hereby repealed.

Article 120: Commencement

These Instructions shall come into force on the date of their publication in the Official Gazette of the Republic of Rwanda.

Kigali, on 05/06/2017.



**Prof. KALISA MBANDA,
Chairman,
National Electoral Commission**



REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION



APPENDIX 1: *Repealed by Article 8 of NEC Instructions No. 02/2017 of 31/05/2017*



REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION



APPENDIX 2: REPORT MARKING THE COMMENCEMENT OF ELECTIONS IN THE POLLING ROOM

Province/Kigali City.....
District of.....
Sector of.....
Polling station.....
Polling room.....

Year of.....Month of.....Day of.....

We,....., the polling room Coordinator and Assessors hereby begin elections in the polling room of as follows:

1. We have checked ballot boxes and they are empty.

2. Number of registered voters who shall cast their votes in the Polling room

3. Number of ballot papers received

4. Elections begin at

Name and Signature of the Polling room Coordinator:

.....

Names and Signatures of the polling room Assessors:

1.....

2.....

3.....



REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION



APPENDIX 3: PERSONS WHO CAST THEIR VOTES WHERE THEY ARE NOT REGISTERED DUE TO THEIR DUTIES

Kigali City / Province of.....

District of.....

Sector of.....

Polling station.....

Polling room.....

No.	NAMES	IDENTIFICATION NUMBER	VOTER'S CARD NUMBER	SEX	POSITION
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					
21.					
22.					
23.					
24.					
25.					

Name and signature of the polling room Coordinator:.....



REPUBLIC OF RWANDA
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Province/Kigali City.....
District of.....
Sector of.....
Polling station.....
Polling room.....

APPENDIX 4: STATEMENT FOR SUSPENDING ELECTIONS OR EXTENDING VOTING TIME

Year of.....Month of....., day of.....,

I,, the Polling station Coordinator of.....

Having considered that election shall not proceed due to the following reasons:

.....

Having considered that all expected number of voters in the Polling room/at the Polling station have not voted yet due to the following reasons:.....

After submitting a request and upon approval from the National Electoral Commission,

We hereby suspend elections in the Polling room/at the Polling station and shall resume on.....

We hereby extend voting time, and elections shall end at.....

Name and signature of the Polling station Coordinator.....

Name and signature of the Polling room coordinator.....



REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION



Province / Kigali City.....
District of
Sector of
Polling station.....

APPENDIX 5: ELECTIONS CLOSURE STATEMENT

Year of.....month of....., day of.....,

I,....., the Polling station Coordinator of.....,

Having considered that it is (time):.....,

Hereby close elections that were being held in this venue.

Names and signature of the Coordinator of the Polling station:

.....



REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION



Province/Kigali City.....
District of.....
Sector of.....
Polling station.....
Polling room.....

APPENDIX 6: STATEMENT SUSPENDING VOTE COUNTING

Year of.....month of....., day of.....,

I....., the Polling station Coordinator of.....

Having considered that vote counting cannot proceed due to the following reasons:

.....
.....

After submitting a request and upon approval by the Chairman of the National Electoral Commission,

Hereby suspend vote counting in the Polling room....., to be resumed at:.....on.....

Name and signature of the Polling station Coordinator of the.....

Names and signatures of Coordinators of Polling rooms:

1.....

2.....

3.....

4.....



**REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION**



Province/Kigali City.....
District of.....
Sector of.....
Polling station.....
Polling room.....

APPENDIX 7: STATEMENT OF VOTE COUNTING IN THE POLLING ROOM

Year of..... month of.....,day of,

We, the Coordinator and Assessors in the Polling room No.....

Upon closing the voting and vote counting in the Polling room under our responsibilities, we hereby declare:

A. Regarding voting and ballot papers:

1. Number of voters expected to cast their votes in that Polling room:

F	M	All

2. Number of registered voters who cast their votes:

F	M	All

3. Number of voters who cast their votes without being registered on that Polling room list:

F	M	All

4. Total number of voters who cast their votes in that Polling room:

F	M	All

5. Total number of valid votes:

6. Number of invalid ballot papers:

7. Number of unused ballot papers:

APPENDIX 7: Cont'd

B. Votes for each candidate

Number	Name of the candidate	Obtained votes	Percentage
1			
2			
3			
4			
5			
6			

Name and Signature of the Polling room Coordinator,

.....

Names and Signatures of Polling room Assessors of room No.....

1)

2).....

2)



**REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION**



Province/Kigali City.....
District of.....
Sector of.....
Polling station.....

APPENDIX 8: STATEMENT OF VOTES CONSOLIDATION AT THE POLLING STATION

Year of.....month of.....day of.....

Upon closing voting and counting of votes in all Polling rooms, we declare:

A. Regarding voting and ballot papers:

1. Number of voters expected to cast their votes in that Polling room:

F	M	All
2. Number of registered voters who cast their votes:

F	M	All
3. Number of voters who cast their votes without being registered on that Polling room list:

F	M	All
4. Total number of voters who cast their votes in that Polling room:

F	M	All
5. Total number of valid votes:

--
6. Number of invalid ballot papers:

--
7. Number of unused ballot papers:

--

B. Votes of each candidate

N°	Name of the candidate	Obtained votes	Percentage
1			
2			
3			
4			

Name and signature of the Polling station Coordinator.....



NATIONAL ELECTORAL COMMISSION
REPUBLIC OF RWANDA



Province/Kigali City.....
District of.....

APPENDIX 9: STATEMENT OF CONSOLIDATION OF VOTES AT DISTRICT LEVEL

Year of.....Month of..... day of.....

Having consolidated election results from all Polling stations in the District, declare

Year of.....month of.....day of.....

Upon closing voting and counting of votes in all Polling rooms, we declare:

A. Regarding voting and ballot papers:

1. Number of voters expected to cast their votes in that Polling room:

F	M	All

2. Number of registered voters who cast their votes:

F	M	All

3. Number of voters who cast their votes without being registered on that Polling room list:

F	M	All

4. Total number of voters who cast their votes in that Polling room:

F	M	All

5. Total number of valid votes:

--

6. Number of invalid ballot papers:

--

7. Number of unused ballot papers:

--

Name and signature of Election Coordinator at District level:

Names and signatures of election officials at Sector level in the District:

1.....

2.....

3.....

4.....



**REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION**



APPENDIX 10: STATEMENT OF CONSOLIDATION OF VOTES AT NATIONAL LEVEL

Year of....., month of....., day of

We, the Chairman of the National Electoral Commission,

Having consolidated election results from all Districts of the Republic of Rwanda and Rwandan Diplomatic missions, we declare:

A. Regarding voting and ballot papers:

1. Number of voters expected to cast their votes in that Polling room:

F	M	All

2. Number of registered voters who cast their votes:

F	M	All

3. Number of voters who cast their votes without being registered on that Polling room list:

F	M	All

4. Total number of voters who cast their votes in that Polling room

F	M	All

5. Total number of valid votes:

6. Number of invalid ballot papers

7. Number of unused ballot paper

B. Votes for each candidate

N°	Name of the candidate	Identification			Obtained votes	Percentage	
		M/F	Age	Education			

Name and signature of:

1. Chairman of the NEC
2. Vice Chairperson of the NEC.....
3. Commissioners of NEC:
 - 1)
 - 2)
 - 3)
 - 4)



REPUBLIC OF RWANDA
NATIONAL ELECTORAL COMMISSION



APPENDIX 11: STATEMENT REGARDING PERSONS WHO VIOLATED LAWS AND INSTRUCTIONS

Year of.....month of.....day of.....

I, Coordinator of the Polling station of.....

Having considered that, Mr/Mrs/Ms.....son/daughter
of.....and..... holding the National Identity Card
No..... and the voter's card No----- has
committed the following acts:

- 1.....;
- 2.....;
- 3.....;
- 4.....;

I hereby declare that these acts disrupt or may disrupt the election process, thus I request concerned security officials to conduct investigations into this case.

Name and signature of the Polling station Coordinator:.....

Names and signatures of witnesses (including at least one of election officials):

- 1)
- 2)
- 3)
- 4)
- 5)