

In the Name of God the Gracious the Merciful

The Rules for Elections Observation and Code of Conduct of Observers 2009

In exercise of the powers conferred upon it under the provisions of section 112 of the National Elections Act 2008, the National Elections Commission hereby makes the following Rules :-

Chapter One

Preliminary Provisions

Title and Commencement

1. These Rules shall be cited as "The Rules for Elections Observation and Code of Conduct of Observers 2009, "and shall come in force from the date of signature.

Interpretation

2. In these Rules unless the context otherwise requires :-

" Secretary General"	means the Secretary General of the National Elections Commission;
"Elections"	means any elections made by the Commission in accordance with the provisions of the National Elections Act 2008 ;
"Accreditation card"	means the document issued by the Commission to prove the identity of the officially accredited observers;
"The Act"	means the National Elections Act 2008;
"Code of conduct"	means the code of conduct of elections' observers and the agents provided for in chapter three of these Rules ;
"Competent committee"	means the committee formed in accordance with the provisions of Rule 29;

"Electoral observer"	means any person or international delegation accredited in accordance with the provisions of these Rules to observe the elections; including national observation committees, agents of the candidates and political parties and representatives of the States sponsoring the Comprehensive Peace Agreement and the States invited by the Commission or whose applications are accepted from some States or International or Regional Organizations ;
"International Observer"	means any person or international delegation accredited in accordance with these Rules;
" National Observer"	means any of the national observation committees provided for in rule 12, and any agent of a candidate or political party appointed or accredited in accordance with part three of chapter two of these rules.
"Polling centre"	means the centre where polling takes place in accordance with the provisions of the Act;
"Sorting and Counting centre"	means the centre where sorting and counting of votes take place in accordance with the provisions of the Act ;
"The Commission"	means the National Elections Commission established under the provisions of the Act;

- "Co-ordinator" means the person nominated by the electoral observer for liaison and coordination between the observer and the Commission or the Competent Committee;
- "Agent" means the person nominated by the candidate or the political party to represent him at the polling centre in accordance with section 104 of the Act .

Chapter two

International and Local

Observers and Agents

Part one

Accreditation of International

Electoral Observers

Presence of the International Observers

3. The Commission shall , in addition to the States sponsoring the Comprehensive Peace Agreement, invite or accept the applications of some States or International or Regional Organizations, to attend and observe the elections and nominate their representatives to be officially accredited in accordance with the provisions of these Rules.

Notification for Submission of Applications of

Accreditation of International Observers

- 4.(1) The Commission shall publish a notification of the date of submission of the applications for accreditation of international observers and the final date for accepting such applications from the categories mentioned in rule 3 above.
- (2) The Commission shall not, in all cases, accept any applications or attachments thereto after the end of the final date provided for in sub-rule (1) above.

- (3) Publication of the dates mentioned in sub-rule (1) shall be made in the local newspapers and the web site of the Commission and in any other appropriate means deemed fit by the Commission.
- (4) The Competent Committee shall decide on the accreditation applications within a period not exceeding seven days from the date of receipt of the complete application together with the required attachments .

**Application Forms of Accreditation of International
Observers and Submission thereof**

- 5.(1) Application Form (No.1) for accreditation of International observers may be obtained from the headquarters of the Commission.
- (2) The International observation accreditation Form. No.{1} shall, after being completed , be submitted to the headquarters of the Commission .
- (3) Application forms shall after being completed be submitted either personally or through E-mail or by Express mail.
- (4) The applicant shall be responsible for ensuring that such forms have been received by the Commission.
- (5) The applicant shall be given a receipt indicating the date of receipt of his application.

Contents of the Application of the International Observer

- 6.(1) The Application for accreditation of International observers shall include the following information :
 - (a) name and address of the applying body, its address and the means of communication therewith ;
 - (b) name of the Head of the applying body ;
 - (c) nature of the activity of the applying body;
 - (d) expected date of arrival of the members of the observation group of the body concerned and their expected numbers;
 - (e) any other information or documents provided for in the application form, or requested by the Competent Committee.
- (2) The following documents shall be attached with the application :-

- (a) authorization from the applying body to the coordinator to receive and deliver all documents and applications and sign the necessary undertaking in Form No.(2);
- (b) a list of the nominated observers and their Curriculums Vitae comprising their nationalities and dates of birth, to be submitted immediately after the acceptance of the Competent Committee that the body is competent, and before the end of the period for submission of the list of observers as determined by the Commission;
- (c) two recent photographs for each observer indicating on its back his name and the name of the body he is representing.

Decision on the Accreditation

Application of International Observers

- 7.(1) The Competent Committee shall examine the accreditation applications of international observers submitted thereto for observation of the elections, and decide thereon as soon as possible within a period not exceeding seven days from the date of receipt of the complete application and its attachments.
- (2) The Competent Committee may request the completion of any information or attachments it deems necessary within the specified period.
- (3) The Competent Committee shall submit its recommendations to the Commission, to accept or reject the application or to reject any of the observers proposed in the application or any other international observer stating the reasons it relied on for making its recommendations based on the reasons mentioned in rule 8, or on any other reasons according to the Act or any other law.
- (4) The Commission may accept or reject the recommendations of the Competent Committee provided that it shall specify the reasons for rejection in writing .

- (5) The Competent Committee shall inform the body concerned of the decision of the Commission through the coordinator, or by Fax, or E-mail, or registered mail.

Reasons for Rejection of the Applications for
Accreditation of International Observers

- 8.(1) The applications for accreditation of International Observers shall be rejected if the period for submission of the complete applications has elapsed, or if the application was not complete, or not precise, or has been submitted by an ineligible body, or if the body submitting the application does not satisfy the requirements provided for in these Rules.
- (2) The application for accreditation of any of the International Observers shall be rejected if his name is repeated in any of the Agents' lists or accredited observers representing any observation body whether national, international, or regional or electoral list or a candidate, or if he does not satisfy the conditions provided for in these Rules or if his age is less than eighteen years.

Obtaining the basic Information about the Elections and the
Undertaking to abide by them and by the Code of Conduct

- 9.(1) Any accredited international observer or body shall obtain the information about the Rules of Elections Observation and Code of Conduct of Observers 2009, from the Competent Committee.
- (2) Every electoral observer shall declare that he knows and understands the information mentioned in the documents he has obtained, and that he has received the necessary training from the competent body for election observation, he shall undertake to observe the Code of Conduct provided for in chapter three of these rules on Form No.(4) made for this purpose.
- (3) The undertaking referred to above shall include abiding by the provisions of these Rules and shall include the name of the observer, his nationality, date of birth, and a photo copy of his passport or his official identity card shall be attached therewith .

- (4) The coordinator shall collect all the undertakings referred to above and their attachments , and ensure that they are complete and deliver them to the Commission through the Competent Committee.
- (5) The Competent Committee shall deliver the accreditation cards of the observers to the coordinator or to whoever is delegated by the approved body. The accreditation card of the observer shall not be delivered to any observer if his undertaking was not submitted to the Competent Committee.

Accreditation cards of the International Observers

- 10.(1) The Competent Committee shall issue the accreditation cards of the International observers based on the approval of the Commission on Form No. (3) in the colour specified by the Commission for the accreditation of international observers.
- (2) The Competent Committee shall keep a data base that comprises the names of the accredited observers and the serial numbers of their accreditation cards and the body that each one of them represents.
- (3) The accreditation cards of the international observers shall include the following details :
 - (a) emblem of the Commission;
 - (b) name of the observer ;
 - (c) the body that the observer represents;
 - (d) recent photograph of the observer ;
 - (e) stamp of the Commission ;
 - (f) signature of the Secretary General or whoever he may delegate ;
 - (g) date of commencement of validity and expiry of the card;
 - (h) serial number of the card .

Revocation of Accreditation of the International Observers

- 11.(1) The Commission, with the consensus of the members, and in accordance with the provisions of section 106 of the Act, may revoke the accreditation of any of the international observers at any time if it is satisfied that they have committed any act in contravention of the Act or any other law or these Rules.
- (2) The Competent Committee shall convey the decision of the revocation of accreditation of any of the international observers or observation bodies to the coordination representing the body whose accreditation or the accreditation of any of its members has been revoked.

Part Two

National Observers

Formation of the National Committees

For Observation of the Elections

12. National committees may be formed in the states as the Commission deems appropriate to perform the functions provided for in rule 26 of these rules for observation of the elections from the categories mentioned in section 104(3) of the Act, namely :
 - (a) Judges;
 - (b) legal counselors at the Ministry of Justice, and the Southern Sudan Ministry of Legal affairs and Constitutional Development;
 - (c) ex-public service employees or persons of the society , who are known for honesty and righteousness ;
 - (d) civil society organizations, the press and the media;
 - (e) political parties.

Notification for Submission of Applications for

Accreditation of National Observers

- 13.(1) The Commission shall publish a notification of the date of submission of the applications for accreditation of national observers and the final date for

accepting such applications together with any required attachments , from the categories mentioned in rule 12 above.

- (2) The Commission shall not, in all cases, accept any applications of national observers or any attachments thereto after the end of the final date provided for in sub- rule (1) above.
- (3) Publication of the dates mentioned in sub-rule (1) shall be made in the local newspapers, the web site of the Commission and any other appropriate means deemed fit by the Commission.
- (4) The Competent Committee shall decide on the accreditation applications of the national observers as soon as possible and within a period not exceeding seven days from the date of receipt of the complete applications together with the required attachments .

Obtaining Application Forms of Accreditation
of National Observers and Submission thereof

- 14.(1) Application Form No.(5) for accreditation of national observers may be obtained from the headquarters of the Commission or from the headquarters of the High Committees in the states.
- (2) The national observers accreditation Form No.(5) shall, after being completed, be submitted to the Competent Committee or to the headquarters of the High Committees in the states.
- (3) Application Forms shall, after being completed, be submitted either personally or through express mail.
- (4) The applicant shall be responsible to ensure that such forms and their attachments have been duly received.
- (5) The applicant shall be given a receipt indicating the date of receipt of the application if the application is personally submitted.
- (6) The High Committees in the states when they receive Forms of accreditation of national observers from the categories mentioned in rule 12 shall dispatch such Forms immediately to the Commission.

Contents of the National Observers' Accreditation Applications

- 15.(1) The Application for accreditation of the national observers shall include the following information :
- (a) name and address of the applying body and the coordinator nominated by such body;
 - (b) name of the Head of the applying body;
 - (c) nature of the activity of the applying body;
 - (d) expected date on which the body concerned expects to start the observation and the expected number of observers;
 - (e) any other information or documents provided for in the application form or which may be requested by the Competent Committee.
- (2) There shall be attached with the application, documents of the curriculums Vitae of the national observers, comprising dates of their birth, their nationalities, and their place of residence, before the expiry of the date of submission of the lists of the national observers determined by the Commission . There shall be attached with the lists the undertakings and their attachments indicated in sub-rule (3) of this rule.
- 3.(a) Every body concerned shall receive a copy of these Rules and the information issued by the Commission in this respect through the coordinator who undertakes to deliver them to the body he represents;
- (b) Every national observer shall sign the undertaking and shall pledge on form No.(4) that he knows and understands all the information and shall abide by these Rules;
- (c) The undertaking and pledge referred to above shall include that the observer shall abide by the Code of Conduct provided for in chapter three of these Rules and the pledge shall include the name of the observer his date of birth and his nationality and shall be attached therewith two recent photographs with his name written on the back thereof, and a copy of his passport or his official identity card, and all the information provided for in Form No. (4).

- (d) The coordinator shall collect all the declarations and pledge forms referred to above and their attachments, and shall ensure that they are complete, and shall deliver them with the lists of the nominated national observers to the Competent Committee.

Decision on the Accreditation

Applications of the National Observer

- 16.(1) The Competent Committee shall examine the accreditation applications of the national observers submitted to it and decide thereon as soon as possible and within a period not exceeding seven days from the date of receipt of the complete application and its attachments.
- (2) The Competent Committee may request the completion of any information or attachments it deems necessary within the period specified by it.
- (3) The Competent Committee shall submit its recommendations to the Commission, to accept or reject the application or to reject any of the proposed observers from the bodies mentioned in rule 12 stating the reasons it relied on for making its recommendation based on the reasons mentioned in rule 17, or on any other reasons according to the Act or any other law.
- (4) The Commission may accept or reject the recommendations of the Competent Committee provided that it shall give its reasons for the rejection in writing .
- (5) The Competent Committee shall inform the body concerned of the decision of the Commission through the coordinator personally, or by Fax, or E-mail.

Reasons for Rejection of Applications of

Accreditation of the National Observers

- 17.(1) The Commission may reject the applications of accreditation of national observers if the period for submission of the complete applications has elapsed, or if the applications were not complete, or not precise, or have been submitted by an ineligible body, or the body submitting the application did not satisfy the requirements provided for in these Rules.

- (2) The application for accreditation of the national observer shall be rejected if his name is repeated in any of the Agents' lists or accredited observers representing any observation body whether national or international, or electoral list or independent candidate, or if he did not satisfy the conditions provided for in these rules or if his age is less than eighteen years.

Issuing

Accreditation cards of the National Observers

- 18.(1) The Competent Committee shall issue the accreditation cards to the national observers based on the approval of the Commission on Form No.(3) in the colour specified by the Commission only for the accreditation of national observers.
- (2) The Competent Committee shall keep a data base that comprises the names of the accredited national observers, and the serial numbers of their accreditation cards, and the bodies that they represent.
- (3) The accreditation cards of the national observers shall include the following details :
- (a) emblem of the Commission;
 - (b) name of the observer to the fourth name ;
 - (c) the body that the observer represents;
 - (d) recent photograph of the observer ;
 - (e) stamp of the Commission ;
 - (f) signature of the Secretary General or whoever he may delegate, ;
 - (g) date of commencement of validity and expiry of the card;
 - (h) serial number of the card;
- (4) The Competent Committee shall deliver the national accreditation cards to the coordinator or to whoever is delegated by the approved body. The accreditation cards shall not be delivered to the observer whose undertaking and pledge have not been received by the Competent Committee .
- (5) The coordinator shall acknowledge receipt of the national observers' accreditation cards and shall deliver the cards to them.

Revocation of Accreditation of the National Observers

- 19.(1) The Commission, with the consensus of the members in accordance with section 106 of the Act, may revoke the accreditation of any of the national observers or any of the accredited bodies at any time if it is satisfied that they have committed any act in contravention of the Act or any other law or these Rules .
- (2) The Competent Committee shall convey the decision of the revocation of the accreditation of any of the national observers or any observation body to the coordinator representing the body whose accreditation or the accreditation of any of its members has been revoked.
- (3) The national observers whose accreditation has been revoked shall return the accreditation cards immediately to the Competent Committee or to the High Committee in the state as the case may be .

Part Three

Accreditation of Agents

Application for Accreditation of the Agent of the Candidate or the Political Party

- 20.(1) Every candidate or political party may nominate an agent to represent it at the polling centre in accordance with section 104(1) of the Act and he/she shall request his/her accreditation in accordance with the provisions of sub-rule (6) of this rule.
- (2) The candidates nominated in the party lists shall not be allowed to nominate agents thereof to observe the elections.
- (3) The Commission shall make public the date of submission of applications for accreditation of agents in the local newspapers and through its web site, and by any other means it deems appropriate.
- (4) In all cases, the period for submission of the applications and their attachments, shall end on the final date fixed for receiving these applications and their attachments from the candidate or the political party.

- (5) No applications may be accepted after the lapse of the period specified in sub-rule (4).
- (6) Application Form No.(5) for accreditation of the Agents may be obtained from the Competent Committee, provided that such a form shall be delivered after being completed to the Competent Committee at the fixed time.
- (7) The application for the accreditation of the Agent shall include the following information :
 - (a) name of the applicant and the manner of communication with him;
 - (b) name of the coordinator;
 - (c) number of registration of the political party or the candidate with the Commission ;
 - (d) the person or persons nominated as agents;
 - (e) any other information required in the application Form.
- (8) The following documents shall be attached with the application for accreditation of the agent :
 - (a) the Curriculum Vitae of the nominated agents including a photo copy of their identity cards, their date of birth, and the place of their residence;
 - (b) an undertaking and pledge from the agent to abide by these Rules and by the Code of Conduct provided for in chapter three of these rules in Form No.(4) prepared for this purpose and shall attach with the undertaking two recent photographs and a copy of his identity card or his passport.
 - (c) any other documents that may be requested by the Competent Committee.

Decision on Accreditation of Applications of the Agents

- 21.(1) The Competent Committee shall examine the accreditation applications of the Agents to ensure that they satisfy the conditions provided for in these Rules and all the required documents are attached therewith.

- (2) The Competent Committee shall require the political party, or the coordinator, or the candidate to complete the required information or documents by Fax, E-mail or registered mail,
- (3) The Competent Committee shall submit its recommendations for acceptance or rejection of the accreditation applications of the Agents to the Commission showing the reasons it relies upon for its decision based on the reasons mentioned in sub-rule (4) or on any other reasons according to the Act or any other law.
- (4) Accreditation of the Agent may be rejected if his name is repeated in any of the other lists for the accreditation of agents or observers representing any national or international body or party lists, or electoral list, or candidate, or if his age is less than (18) eighteen years.
- (5) The Commission may accept or reject the recommendations of the Competent Committee, stating the reason for such rejection.
- (6) The applications for the accreditation of agents shall be dealt with as soon as possible and within a period of not more than seven days from the date of receipt of the application and its complete attachements.
- (7) The Competent Committee shall inform the political party or the coordinator or the candidate, as the case may be, of the decision of the Commission by Fax, E-mail or registered mail .

Issuing

Accreditation Cards of the Agents

- 22.(1) The Competent Committee shall issue the accreditation cards of the agents approved and accredited by virtue of a resolution of the Commission on form No.(3) in the colour specified by the Commission only for the accreditation cards of the agents.
- (2) The Competent Committee shall keep a data base that comprises the names of the accredited Agents and the serial numbers of their accreditation cards, their nationalities and the bodies they represent.
- (3) The accreditation card of the agent shall include the following details :

- (a) emblem of the Commission ;
 - (b) name of the Agent to the fourth name ;
 - (c) the body that the agent represents;
 - (d) a recent photograph of the agent ;
 - (e) stamp of the Commission ;
 - (f) signature of the Secretary General or whoever he may delegate;
 - (g) date of commencement of validity and expiry of the card;
 - (h) serial number of the card.
- (4) The agents' accreditation cards shall be delivered to the representative of the political party, or the coordinator, or the candidate as the case may be.
 - (5) The cards of the agents of the independent candidates shall be collected from the office of the Competent Committee.

Rights and Duties of the Agents

- 23.(1) The accredited agents shall enjoy the rights and perform the duties provided for in section 104(1) of the Act and these Rules, provided that they shall sign an undertaking and pledge to abide by these Rules and the Code of Conduct provided for in chapter three of these Rules in form No.(4) attached to these Rules.
- (2) Copy of these Rules shall be delivered to the representative of the political party, or the coordinator, or the candidate as the case may be.

Revocation of the Accreditation of the Agent

- 24.(1) The Commission shall, in accordance with the provisions of section 106 of the Act, revoke the accreditation of the Agent at any time if it is satisfied that he has committed an act in contravention of the provisions of the Act or any other law or these Rules stating the reasons for that revocation.
- (2) The Competent Committee shall inform the representative of the political party, or the coordinator, or the candidate, as the case may be, of the decision of revocation of the accreditation of the agent.

- (3) The representative of the political party, or the coordinator, or the candidate shall immediately return to the Competent Committee the accreditation card of the agent whose accreditation has been revoked.

Chapter Three

Conduct of the Elections Observers

Principles and Criterion of Observation

25. International and national observers, agents, and all national observation committees shall abide by the following standards :
- (a) take into consideration all factors relating to any of the electoral activities during the observation process, clarify the aspects that have been reviewed and the areas covered for the collection of the observations.
 - (b) any statements issued on the progress of the electoral process shall be made by the bodies or the national observation committees and not by the individuals. The said bodies, delegations and national observation committees may issue reports or statements relating to the progress of the electoral process through the accredited persons registered with the Commission.
 - (c) the manner of collection of information relating to observations or assumptions, information collected, analysis made and methodology adopted shall be declared.
 - (d) observation shall depend on correct and reliable information.
 - (e) the international and national observers and the agents shall abide by professionalism, objectivity, impartiality and transparency, and shall avoid vagueness, selectivity and incitement in the evaluation of the progress of the electoral process;
 - (f) abide by the applicable laws, regulations and rules and to preserve public order , the rule of law, the Act, and any other law, and to respect these rules.

Functions of the Electoral Observers

- 26.(1) The observer accredited by the Commission may personally exercise the functions provided for in section 105(1) of the Act as follows :
- (a) observe the polling, sorting and counting of votes, and ensure the impartiality, fairness of the polling, sorting and counting procedures;
 - (b) ensure the impartiality of the persons in charge of the polling, sorting and counting of votes, and their commitment to the provisions of the Act, and the regulations, rules and orders made under these rules ;
 - (c) visit the geographical constituencies and polling, sorting and counting centres at any time without prior notice ;
 - (d) attend all the stages of the polling sorting and counting, and particularly be present at the time of opening and closing of the ballot boxes;
 - (e) ensure the freedom and fairness of the elections and the secrecy of the polling, and write reports thereon in accordance with the provision of these rules.
- (2) Observation committees or individual observers shall not in any manner interfere in the work of the elections committees or their officials, provided that they may raise questions verbally or in writing.

Guidelines for the Activities of the Observers

27. In the exercise by the accredited observers of the functions provided for in rule 26, they shall abide by the following guidelines:
- (a) observance of these rules and the Code of Conduct provided for in rule 28, hereunder;
 - (b) all the accredited observers registered with the Commission shall be responsible for all matters of support and costs relating to their performance of their duties such as transport, communications, housing and health and any other matter ;

- (c) the International observation teams shall be responsible for fully informing their accredited observers on the electoral process and the provisions of these rules. The accredited international observers shall also read the Elections Act and the provisions of the Rules of Conduct provided for in this chapter and shall sign an undertaking and pledge to abide thereby before commencing any of their observation activities
- (d) every accredited observer shall sign his accreditation card at the time of receipt thereof and shall carry with him alternative identification documents supported by signature or a photograph to enable the officials at the polling, sorting and counting centres to ascertain the identity of the accredited observer in addition to the accreditation card.
- (e) the accredited observers shall submit their observations to the head of the team and the election observation teams or other observers may submit a general official report on such observations. The teams or other observers shall be ready to submit their reports to the Commission regarding their activities and they shall, as far as possible, make available proof and evidence of what they relied upon for making their assumptions and findings in preparing their reports .

Code of Conduct of Electoral Observers

28. Every accredited electoral observer in the performance of his duties of election observation shall observe the following Code of conduct :-
- (a) respect and abide by the principles and standards of observation and the functions and guidelines provided for in this Chapter ;
 - (b) respect and observe the laws, regulations and rules applicable in the Sudan ;
 - (c) refrain from carrying arms or behave in an inappropriate or aggressive manner ;

- (d) refrain from instigation in any manner that expresses taking any sides or showing preference for any candidate, political party or coalition of political parties;
- (e) refrain from accepting any gifts or services from any person or political party or organization;
- (f) refrain from interference in any manner with the activities of the Commission, or any of the political parties, or Sudanese citizens, or in any of the political affairs of the country ;
- (g) perform his role peacefully, and with due respect to the role of the officials of the Commission with respect to their status and powers, and shall pay due respect to them and to the registration officers , voters, and to the responsible security officials and all those working in the electoral process;
- (h) to abide strictly by the directives and orders of the Commission including any reasonable request to leave any specified area or place, to refrain from entering into any prohibited place and to leave the voting or sorting and counting centre or any prohibited place.
- (i) not to interfere with or obstruct the electoral process;
- (j) display the accreditation card to show his identity as an electoral observer or show it in a conspicuous manner and identify himself to the responsible person of the Commission when entering any, voting or sorting and counting centre, or any place, or premises, or building of the Commission, and nobody shall be allowed to enter except those persons who carry the accreditation card from the Commission.
- (k) respect the secrecy of voting when he is present at the voting place.
- (l) refrain from communication with the voters for the purpose of affecting their preference of voting or interfere in any manner in the secrecy of voting on the date of elections or in the voting process;

- (m) refrain from attempting to give directions or information to any voter inside or outside the polling centres or giving any interpretation of the applicable laws;
- (n) take reasonable steps to inform the Commission and provide it with any information on matters directly observed by him or reports that came to his knowledge that point to the possibility of a contravention of the Elections Act or which may jeopardize the credibility of the elections process in any place whatsoever;
- (o) ensure that the information given is reliable and can be investigated and produced in a report in a reasonable methodical and clear manner;
- (p) refrain from publishing or commenting on the results of the elections before they are officially published by the Commission;
- (q) refrain from wearing any party logo or colours or badges or expressing any support to the voters or to a specific candidate or candidates or the political parties in the performance of his observation duties;
- (r) cooperate with other electoral observers.

Chapter Four

General Provisions

Formation of the Competent Committee and its Functions

- 29.(1) The Commission shall form the Competent Committee chaired by a member of the Commission and a number of members of experience and knowledge of international, regional, and state affairs, independence and impartiality, provided that the Secretary General shall be a member and a convener.
- (2) The seat of the Competent Committee shall be at the headquarters of the Commission.
- (3) The Competent Committee shall hold one meeting every week and it may hold an extra ordinary meeting whenever it receives any urgent observation application. The meeting shall be a quorum with the

attendance of more than half of its members and the decisions shall be taken by the majority of the members present. In case of equality of votes the Chairperson shall have a casting vote .

- (4) In case of acceptance or rejection of the application, the Competent Committee shall submit its recommendations to the Commission supported by all evidence and justifications.
- (5) In case the Commission approves the recommendation of the Competent Committee to accept the application, the Competent committee shall issue the certificate of accreditation of the electoral observer on Form No.(6) and issue the accreditation card on Form No.(3), as the case may be for the observers, and in case of rejection of the application the Competent Committee shall inform the applicant of the decision of the Commission in writing .

Submission of the Complaints and Objections

- 30.(1) Agents may raise questions verbally or in writing and may submit any objections to the polling or sorting and counting committees. The chief of the polling or sorting and counting committees shall answer those questions and deal with such objections.
- (2) where the agents wish to submit written objections, the chief of the polling or sorting and counting committee shall :-
 - (a) give the agent a copy of Form No.(7) for submitting the questions or objections to complete ;
 - (b) try to resolve the problem as far as possible according to the approved procedures, and shall record the manner of dealing with the matter in the said Form;
 - (c) attach the above mentioned form submitted to the polling or sorting and counting committees with the reports on the closing of the polling , sorting and counting as the case may be .
- (3) International or national observers shall not interfere any manner in the work of the elections committees provided that they may raise questions verbally or in writing or record their observations in writing and submit

them to the observation body which they represent. The said body may submit the written observations to the Commission.

- (4) The complaint or objection may be submitted where it appears that there is a violation which negatively affects the execution of the electoral process and subsequently the desired results.

Preparation of Suitable Places for the Observers to Facilitate
The Performance of their Duties

- 31.(1) The polling, sorting and counting committees shall allocate suitable Places for the electoral observers in each polling , sorting and counting centre to enable them to perform their functions easily and safely .
- (2) The employees of the Commission, each within the limits of his powers shall facilitate the task of the agents and electoral observers and enable them to perform their functions specified in the Act, the regulations and rules made thereunder,

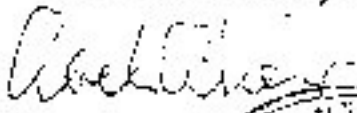
Issue of Forms, Circulars


Decisions and Directions

32. The Commission may issue the forms, circulars, decisions and directives necessary for the implementation of the provisions of these rules.

Forms

This is to certify that the National Elections Commission has passed the Rules for Elections Observation and Code of conduct of Observers 2009 , in its meeting No. 32 dated 27th Of Ramadan 1430 A.H. being the 11 day of September 2009 A.D.


Abel Alier
Chairperson of the National
Elections Commission



In the Name of God the Gracious the Merciful
The National Elections Commission

Form No.(1)

Application for Accreditation of International Observers

- (1). Please tick the body submitting the Application :
- (a) Countries Sponsoring the Comprehensive Peace Agreement, or
 - (b) International Organization, or
 - (c) Regional Organization, or
 - (d) Government delegation, or
 - (e) Others.
- (2). Information about the body submitting the application :-
- (a) name :
 - (b) Applying body :
 - (c) Country : City :
 - (d) Telephone : Fax :
 - (e) E-Mail: web site:
- (3). Non Governmental Bodies :
- (a) Country where the applying body is registered
 - (b) registration and date
- (4) Coordinator of the applicant or its head
- (a) Name : Post :
 - (b) Telephone: Fax :
 - (c) E- mail :
- (5) Expected number of observers :
- (6) Expected date of arrival of observers

- (7) Official approval of the nomination for accreditation by the head or representative of the body requesting accreditation :

Head or representative of the observation body

Signature :

Stamp of the body applying for observation :

Please attach all the documents provided for in rule 6(2) namely,:

- (a) delegation of the applicant to the coordinator ;
- (b) list of the names of the proposed observers and their curriculums vitae, their nationalities and dates of birth;
- (c) two recent photographs of each observer with his name written on the back of each photograph.

In the name of God the Gracious the Merciful

The National Elections Commission

Form No.(2)

Delegation of the Coordinator to

Represent the Elections,

Observation Body

Date :

1. Name of the Delegating Body :

Address : Country : City:

Telephone : Fax : E-Mail:.....

2. Name of the Delegated Coordinator :

Place of residence Number of identity card and

type :

Date of birth / / / Telephone : Fax:.....

E-Mail :

3. Delegation of the above mentioned person to perform the following duties :

- (a) receive and deliver all the documents and Correspondence between the delegating body and the Commission;
- (b) sign any undertakings and necessary papers;
- (c) receive all correspondence addressed to the accredited observers and agents during and after accreditation;
- (d) collect all the undertakings and pledges required from the accredited observers and agents and ensure that they are complete and deliver them to the Commission;
- (e) receive the accreditation cards issued by the Commission, acknowledge receiving them and undertake to deliver the same to the persons entitled to carry them;
- (f) receive the information issued by the Commission and deliver it to the delegating body;

(g) any other duties required by the nature of his work.

(4) Attachments :

copy of the identity card of the coordinator .

Name of the representative of

the delegating body : stamp of the delegating body

Signature :

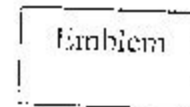
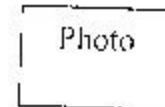
In the Name of the God the Gracious the Merciful

THE NATIONAL ELECTIONS COMMISSION

FORM NO.(3)

ACCREDITATION CARD OF ELECTORAL OBSERVER

1. Name :
2. Body :
3. Number :
4. Geographical boundary :
5. Validity date From to



.....
Signature and stamp of the Secretary General
The National Elections Commission

.....
signature of the observer

In the name of God the Gracious the Merciful

The National Elections Commission

Form No.(4)

Undertaking and Pledge of the

Electoral Observer

☐ Political party agent ☐ Internal observer ☐ International observer ☐ candidate's observer

1. Name of the body represented :

A. Personal Information :

2. First name : 7. Date of Birth :
3. Father's name : 8. Sex: Male ☐ Female ☐
4. Grand Father's name : 9. No. of I.D. document.....
5. Family Name : 10. Type document I.D. ☐
6. Nationality : Passport : ☐

B. Address :

11. Territory : 15. Telephone :
12. City : 16. Mobile :
13. Street : 17. Fax :
14. District : 18. E-Mail:

C. Attachements :

19. copy of the identity card or passport of the observer or the Agent.
20. two recent photographs 20mm x 15 mm

I hereby declare that I have received the information and a copy of the Observation and Code of Conduct from the Commission and declare that I have received the necessary training on the process of observation from the body which I represent, and I declare and pledge to respect the applicable laws and regulations, the rules in force and the Rules for Elections Observation and Code of Conduct of Observers 2009, including the Code of Conduct provided for in chapter three of the said rules.

22. Signature of the
observer or the agent

23. Date : day of month
year.....2009.

In the name of God the Gracious the Merciful

The National Elections Commission

Form No.(5)

Application For accreditation of National observers

For the use of the Commission :

Number of the application : No. of accreditation

Date :

The chairperson of the Competent Committee,

The National Elections Commission .

We would like to submit this application to obtain your approval for accrediting us
as an observation body by the Commission :

1. Information about the applying body

Name :

Nature of its activity :

Address :

City : District Street

Telephone : Mobile Fax:.....

E-mail : web Site

2. Legal personality :

Officially registered at

Place of registration Number Date:

3. Head of the body submitting the application :

Name : Address

Telephone Mobile E-mail

4. Coordinator :

Name : Address :

Telephone : Mobile : E-Mail.....

5. Expected number of national observers :

6. Date of observation : / / .

7. Name of the Head of the body submitting the Application or its representative capacity signature
8. Attachments (to be delivered with the application Form)
- (a) Rules for Elections Observation and Code of Conduct of Observers 2009;
 - (b) Form of delegation of the coordinator ;
 - (c) Form of declaration and pledge of the observer.
9. Attachments to be submitted with the application at the time of delivering it to the Competent Committee :
- (a) evidence of registration with the Competent authority;
 - (b) delegation of the body concerned to the coordinator ;
 - (c) list of the names of the observers, their dates of birth (could be submitted before the final date specified by the Commission;
 - (d) undertakings and pledge of the observers together with two recent photographs and a copy of the identity card or passport .
10. N.B. : (a) the completed information in the Application should be correct, and the body concerned shall bear the responsibility for incorrect Information.
- (b) the Commission shall not consider any application submitted to it after the final specified date.
- (c) incomplete applications shall not be considered .
11. Undertakings and pledges :
- (a) the body submitting the application undertakes to deliver to each observer representing him a copy of the Rules for Elections Observation and Code of Conduct of Observers 2009;
 - (b) the signatory of the application and its observers shall undertake and pledge to abide by the code of conduct provided for in(a) above of these rules .
 - (c) the body submitting the application undertakes to make available to its observers the necessary training for the observation of the elections process.

Signature of the representative of the body
submitting the application

stamp of the applicant

12. to be completed by the Applicant of

Name of the person who received the application Signature hour
of receipt

Place of receipt of the Date of receipt

Signature of the head of the Competent Committee

13. For the use of the Competent Committee :

Decision of the committee : Accepted ☐ Rejected ☐

Reasons for rejection :

.....

.....

.....

Signature of the Head Signature of the member.....
of the Competent Committee

signature of the member

14. For the use of the Commission :

Decision of the Commission accepted ☐ Rejected ☐

Reasons for rejection

1.

2.

Signature :

Stamp of the Commission

In the Name of God the Gracious the Merciful

FORM NO.(6)

CERTIFICATE OF ACCREDITATION OF OBSERVATION OF ELECTIONS

No.:

THE NATIONAL ELECTIONS COMMISSION HEREBY CERTIFIES THAT:

.....

Has been Accredited as observer in the National Elections by virtue of the provisions of section 104 of the National Elections Act 2008, for a period of for the observation of the elections provided that she/he observes the code of conduct throughout the period of observation .

Date :

Signature :

Secretary General of the Commission

In the Name of God the Gracious the Merciful

The National Elections Commission

Form No.(7)

Application for raising questions or objections in writing by the Agent of the
candidate or the Political Party to the Voting, Sorting and Counting
Committees

1. State :
2. Constituency
3. Addressed to the chief
of the polling committee or
To the chief of the sorting and counting committee
4. Name of the applicant :
5. Address of the applicant :
6. Number of accreditation of the agent :
7. Candidate or political party represented by the agent
.....
8. subject of the question or objection :
.....
.....

Signature of the applicant

Date : / / 2009

To be completed by the chief of the polling or sorting and counting committee :

(1) Record of the manner of his dealing with the question or the objection

.....

(2) Attach this Form with the report on the procedures of closing of polling or sorting and counting .

Name and Signature

Date: / / 200

Resolution No. (47)

Observation of the Elections at the Registration Process

Subject to the provisions of the National Elections Act 2008, and the Rules for Elections Observers and Code of Conduct of Observers 2009, and to guarantee the fairness and transparency of the Elections process, the National Elections Commission has adopted Resolution No.(47) in its meeting No.(38) convened on 15 October 2009, which provides that national and international Observers who wish to observe the registration stage in all registration centres, may apply for accreditation for the stage; provided that they abide by the following directives for accreditation :

1. Submit their applications to the Headquarters of the National Elections Commission.
2. Send the names of the national and International Observers, their addresses, a photograph for each one of them with his name written on the back of the photograph, a photo copy of his identity card or his passport and indicate the geographical boundary where they wish to carry out the observation in the form attached to this Resolution.
3. The National and international observers who apply for accreditation shall obtain their accreditation cards personally or through their coordinators from the National Elections Commission.
4. The accreditation card for the observation of registration shall be valid only for the registration stage.

Made under my hand on the first day of Thel Gaida 1430 A.H. being the Nineteenth day of October 2009 A.D.

Abel Alier

**Chairperson of the National
Elections Commission**

In the Name of God the Gracious the Merciful

THE NATIONAL ELECTIONS COMMISSION

FORM NO.(A)

ACCREDITATION CARD OF ELECTORAL OBSERVER

REGISTRATION STAGE

1. Name :
2. Body :
3. Number :
4. Geographical boundary :
5. Validity date From to

Photo

Emblem

.....
Signature and stamp of the Secretary General
The National Elections Commission

.....
signature of the observer